PB82-242470

Appendix A: Summary of Individual Comments on the May 22, 1980 Proposed Visibility Regulations

PEDCo-Environmental, Inc.
Cincinnati, OH

Prepared for

Environmental Protection Agency
Research Triangle Park, NC

Oct 80

U.S. Department of Commerce
National Technical Information Service
NTIS

United States
Environmental Protection
Agency

Office of Air Quality
Planning and Standards
Research Triangle Park NC 27711

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Air

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The Appendix to "Summary of Comments and Responses on the May 22, 1980 Proposed Regulations for Visibility Protection for Federal Class I Areas" summarizes the public comments by individual commenter.

17. KEY WORDS AND DOCUMENT ANALYSIS

a. DESCRIPTORS	b. IDENTIFIERS/OPEN ENDED TERMS	c. COSATI Field/Group
Response to comments Visibility	Public comments Visibility	

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by

PEDCo Environmental, Inc.
11499 Chester Rd.
Cincinnati, Ohio 45246

Contract No. 68-02-3512

Prepared for

U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Air, Noise, and Radiation
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

October 1980

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APPENDIX A

SUMMARY OF INDIVIDUAL COMMENTS ON THE MAY 22, 1980 PROPOSED VISIBILITY REGULATIONS

CATEGORY IV-D COMMENTS

Number	Commenter
1	South Dakota Dept. of Game, Fish and Parks.
2	American Paper Inst./National Forest Products Assoc. - request for reservation of time at hearing.
3	Jerald N. Hutchins, Vancouver, WA.
4	Harold S. Winger, Mobile, Alabama.
5	Armin T. Dressel, Camden, AR.
6	R. Jett Freeman, Bay Minette, Alabama.
7	Charles A. Self, Bearden, AR.
8	Paul J. Hagelston, Hattiesburg, MS.
9	Council On Wage and Price Stability - "selected for review by the RARG".
10	Bobby Jeffrey, Sheridan, ARK.
11	Richard Taylor, Camden, ARK.
12	E. A. Reese, Jr., Arkadelphia, ARK.
13	Henry V. Nickel, Hunton and Williams.
14	R. W. Sanders, DeQueen, ARK.
15	Deborah G. Utz, Quitman, MS.
16	Elizabeth F. Sprague, Sweet Briar, Virginia.
17	Longview Fibre Company
18	American Iron and Steel Institute
19	Virginia Forestry Association

IV-D Comments (continued)

Number	Commenter
20	John M. McEntire, Pine Bluff, AR.
21	Al Cook, Malvern, AR.
22	R. R. Russell, Council on Wage and Price Stability
23	Simpson, Inc.
24	David F. Stevens, Nachez Mississippi.
25	R. E. Maxwell, Grenada, MS.
26	State of Washington, Dept. of Natural Resources
27	Town of Crested Butte, Colorado
28	El Paso Natural Gas Company
29	Virginia Farm Bureau Federation
30	Wolfgang Hauer, Michigan Botanical Club
31	Katharin Anglemyer, Washington, D.C.
32	Mary Anglemyer, Washington, D.C.
33	Utah Environment Center
34	Western Energy Supply & Transmission
35	Frances Dollar, Hollywood, California
36	Jane Heath, Temple, Arizona
37	Harold Crump, Front Royal, Virginia
38	Clifford N. Smith, McNeal, Arizona
39	Robert Morgan, Wilkes-Barre, PA
40	Ken Warrow, Florida
41	Elaine Stansfield, Los Angeles, CA
42	Commonwealth of Kentucky, Department for Natural Resources and Environmental Protection

IV-D Comments (continued)

Number	Commenter
43	Deborah Morningstar, Tallahasse, Florida
44	Mrs. Richard Tear, Acton, Mass.
45	Myra and Alan Erwin, Sacramento, California
46	Colorado-Ute Electric Association
47	Carlton N. Owen, Warren, Arizona
48	Sidney M. Hirsh, Tucson, Arizona
49	H. M. Phillips, Mobile Alabama
50	Liberty National Life Insurance Co.
51	State of Alaska, Department of Fish and Game
52	Scott Frazier, Los Bahos, LA
53	Robert W. McConnochie, Pompano Beach, Florida
54	James R. Hamilton, Richmond, VA
55	Robert Franz, Glenolden, PA
56	John New, State University College
57	Mrs. J. C. Yarbrough, Atlanta, GA
58	League of Women Voters of the U.S.
59	Virginia Agribusiness Council
60	Brunswick Pulp Land Company
61	M. R. Warner, Houston, Texas
62	Steve Frye, College Place, WA
63	North Carolina Forestry Association, Inc.
64	Mark Gailey, Shingletown, CA
65	United Power Association
66	American Pulpwood Association

IV-D Comments (continued)

Number	Commenter
67	Mississippi Forestry Commission
68	David Vosa, Chicago, Illinois
69	Ron Graybeal, San Francisco, CA
70	Conservation Call, San Diego, CA
71	Josephine Ciak, North Arlington, NJ
72	Royce Satterlee, Whitefish, MT
73	Southern Arizona Environmental Council
74	National Council of the Paper Industry for Air and Stream Improvement, Inc.
75	Walter Rivers, Larkspur, California
76	Montana Pole and Treating Plant
77	Town of Wallingford, Connecticut
78	Union Camp Corporation
79	Mrs. Kathleen Oss, Minneapolis, MN
80	Mrs. M. Mathews, Minneapolis, MN
81	Missouri Dept. of Natural Resources
82	Michael Barry and Laura Corbin, Tucson, Arizona
83	Stephen Tognoli, Douglas, Arizona
84	Matthew Brennan, E. Northport, NY
85	Office of State Forester, Salem Oregon
86	Ms. Ethel Thorniley and friends, Detroit, Michigan
87	Ralph Leon, Douglas, Arizona
88	Lee Grant Snyder, Incline Village, Nevada
89	Friends of the Earth, Brunswick, Maine

IV-D Comments (continued)

Number	Commenter
90	New Mexico Citizens for Clean Air and Water
91	Connie Hewett, Hereford, Arizona
92	Rick Hewett, Hereford, Arizona
93	Carol Ruckdeshel, St. Marys, Georgia
94	Stephen Austin, Littleton, Colorado
95	Bob Jackson, Minneapolis, MN
96	Duane Lamers, Grosse Points, MI
97	St. Regis Paper Company
98	Washington Forest Protection Assoc.
99	Derin Culp, Boston, MA
100	Delaware Valley Citizens' Council for Clean Air
101	H. H. Hillman, Naco, Arizona
102	Willa Rapstine, Willcox, Arizona
103	Ray Friendly, Bisbee, Arizona
104	Dick Wilson, Des Ploines, Ill.
105	Eugene Marc Trisko on behalf of Stern Brothers, Inc.
106	Friends of the Earth
107	Mike Staten, Chatom, Alabama
108	State of New Jersey, Department of Environmental Protection
109	Michael Rees, Minneapolis, Minnesota
110	Alabama Forestry Association
111	Alleghany Mining Corporation
112	Ronald Davidson, Hampton, Arkansas

IV-D Comments (continued)

Number	Commenter
113	League of Women Voters of Texas
114	Georgia Forestry Association, Inc.
115	Marie Jensen, Northfield, MN
116	Johnston Lumber Company
117	Brian McGill, Washington, D.C.
118	W. G. Wern..., Mesa Arizona
119	Douglas and Natalie Danforth, Bisbee, Arizona
120	Florida Department of Agriculture and Consumer Services
121	Catherine C. Keim, Sacramento, CA
122	Nancy Seidman, Arlington, VA
123	Carl Peiser, Winslow, Arizona
124	Kenneth Van Leuven, Bisbee, Arizona
125	Atlantic Electric Company
126	Marie A. Burling, McNeal, Arizona
127	L. M. Mitchell, Potter Valley, CA
128	Clyde McGoldrick, Pearce, Arizona
129	Louisiana Forestry Association
130	Elaine Roberts, Forest Park, GA
131	Brand S Corporation
132	Jacqueline Wolff; Hollywood, CA
133	California State Grange
134	Thomas Suk, Davis, CA
135	Sarah Maxwell, Davis, CA

IV-D Comments (continued)

Number	Commenter
136	Evans, Kitchel and Jenckes, on the behalf of Phelps Dodge Corporation
137	Wilderness Workshop of the Colorado Open Space Council
138	Oregon Women for Agriculture
139	NC Dept. of Natural Resources and Community Development
140	John Matovich, Regina, Montana
141	Anna Leigh, Rucson, Arizona
142	Jeffrey Zimmerman, Tempe, Arizona
143	Burlington Northern
144	Bram L. Jacobson, Phoenix, Arizona
145	Aldenlee Spell, Rushland, PA
146	Michael Gregory, McNeal, Arizona
147	Terri Martin, Cedar City, Utah
148	Brita Miller, Tucson, Arizona
149	Gordon Berry, Bisbee, Arizona
150	Mrs. Neville Kirk, Annapolis, MD
151	Mr. and Mrs. Carl Henry, Northfield, MN
152	Barrie and Karen Mayes, Prescott, AZ
153	Neil Peterson, Sierra Vista, AZ
154	Calvin Dahm, St. Paul, Minnesota
155	National Rural Electric Cooperative Association
156	Kennecott Corporation
157	Raymond Eustan, Vista, CA
158	Chemical Manufacturers Association

IV-D Comments (continued)

Number	Commenter
159	Colorado-Ute Electric Company
160	Briggs and Pat Ackert, Tucson, AZ
161	Hunton and Williams for UARG
162	Jane Newton, Philomath, OR
163	Ed Herschler, Government of Wyoming
164	Shea and Gardner for Magma Copper Co.
165	Joyce Vincent, Minneapolis, Minnesota
166	Garnett Bowyer, Grant County Schools
167	Marie Pettit, Harrisonburg, VA
168	Donovan and Suzanne Fletcher, Sierra Vista, AZ
169	Nevada Cattlemen's Association
170	The Bunker Hill Company
170a	Correction to above.
171	Crown Zellerbach
172	Scott Paper Company
173	Oregon Seed Council
174	Kerr-McGee Corporation
175	Montana Power Co.
176	Oregon Forest Protection Assn.
177	Calif. Air Resources Board
178	Colorado Mountain Club
179	Art Johnston, Bisbee, AZ
180	Clem Pederson
181	Tucson Audubon Society

IV-D Comments (continued)

Number	Commenter
182	Southern Arizona Hiking Club
183	Sierra Club, Denver, Colorado
184	Tennessee Wildlife Resources Agency
185	Idaho Veneer Company
186	Dorothy Walker, McNeal, AZ
187	Barbara Jones, McNeal, AZ
188	Western Oil and Gas Association
189	David Pardee, Tucson, AZ
190	Keoki Skinner, Naco, AZ
191	Adele Annerino, Phoenix, AZ
192	Occidental Oil Shale, Inc.
193	Montana State Airshed Group
194	U.S. Department of Interior
195	Society of American Foresters
196	No Oilport, Inc.
197	Western Forestry and Conservation Assoc.
198	City of Colorado Springs
199	James Wick, Portland, OR
200	James Jones, Phoenix, AZ
201	Southwest Hawk Watch, Phoenix, AZ
202	International Paper Company
203	Boise Cascade Corporation
204	Colorado Cattlemen's Association
205	George Momper, Bisbee, AZ

IV-D Comments (continued)

Number	Commenter
206	Continental Forest Industries
207	Commonwealth of Virginia
208	Utah Audubon Society
209	Department of Environmental Quality
210	Pacific Power and Light Company
211	Friends of the Earth
212	Eastman Kodak Company
213	Richard Kamp, Naco, AZ
214	State of California Department of Forestry
215	Olympic Park Associates
216	Gordon Tate, Master Idaho State Grange
217	South Carolina Forestry Association
218	State of South Dakota
219	Kaiser Refractories
220	Environmental Research and Technology, Inc.
221	Departments of Planning, Zoning and Building
222	South Branch Vocational Center
223	Florida Game and Fresh Water Fish Commission
224	County Commission of Grant County
225	International Paper Company
226	Office of Kane County Commission
227	Wildlife Management Institute
228	H. Ramos and friends, Douglas, AZ
229	American Mining Congress

IV-D Comments (continued)

Number	Commenter
230	Wayne Ursenbach, Salt Lake City, Utah
231	John Werner, Bisbee, AZ
232	Herb Crase, Watershed Forester - North Carolina Department of Natural Resources and Commercial Development
233	David Levy, Durham, NC
234	Oregon Women for Timber
235	Society of American Foresters
236	Brown Company
237	Hiwassee Land Company
238	State of Nevada Executive Chamber
239	Virginia Manufacturers Association
240	Montana Dept. of Natural Resources and Conservation
241	The Standard Oil Co.
242	U.S. Dept. of Commerce, General Counsel
243	American Petroleum Inst.
244	Dept. of Energy - Secretary
245	M. Zarich - Indianapolis, IN
246	Arkansas Forestry Comm.
247	Public Utility Dist., #1 of Douglas County, Wash.
248	Robert R. Reid, Jr., Birmingham, AL
249	Santa Fe Research Corp.
250	Patricia Byrne, Sun City, AZ
251	Rick Breault, Evergreen Park, IL
252	U.S. Dept. of Agriculture, Forest Service

IV-D Comments (continued)

Number	Commenter
253	Kay Wicker, Mpls, MN.
254	National Assoc. of Manufacturers
255	Florida Power & Light Co.
256	Virginia State Air Pollution Control Board
257	Texas Eastern Transmission Corp.
258	Jacksonville Electric Authority
259	Illinois State Natural History Survey Div.
260	Shell Oil Co.
261	General Electric
262	Utah International, Inc.
263	West Associates
264	Allegheny Power Service Corp.
265	Weyerhaeuser Co.
266	Rio Blanco Oil Shale Co.
267	Salt River Project
268	Sunoco Energy Development Co.
269	Burlington Industries
270	McFarland Cascade
271	Hunton & Williams for UARG
272	VEPCO
273	American Paper Inst.
274	Union Oil Co. of California
275	Holland & Hart for ASARCO
276	American Textile Manufacturers Assoc.

IV-D Comments (continued)

Number	Commenter
277	National Parks and Conservation Assoc.
278	Council On Wage and Price Stability
279	AMAX
280	National Coal Assoc.
281	Marge Burgess, Denver, Colorado
282	South Carolina Public Service Authority
283	West Associates
284	Rockwell International (guidelines)
285	Arizona Dept. of Health Services
286	American Public Power Assoc.
287	Atlantic Richfield Co.
288	Salt River Project (guidelines)
289	Tampa Electric Co.
290	Tucson Electric Power Co.
291	State of Utah, Office of the Governor
292	Basin Electric Power Cooperative
293	California Forest Protective Assoc.
294	Conference of State Manufacturers Associations with Virginia Manufacturers Assoc. letter.
295	U.S. Dept. of the Interior - Fish and Wildlife Service (guidelines)
296	Duke Power Co.
297	Interstate Paper Corp.
298	Arizona Public Service Co. (guidelines)
299	National Coal Assoc. (guidelines)

IV-D Comments (continued)

Number	Commenter
300	Hunton & Williams for UARG (guidelines)
301	Coleman Furniture Corp.
302	Southern California Edison Co.
303	Sierra Club
304	Florida Forestry Assoc.
305	Evans, Kitchel & Jenckes, P.C. (guidelines)
306	State of Montana - Office of the Governor
307	Merck & Co., Inc.
308	New Mexico Dept. of Health & Environ.
309	Mead
310	Atlantic-Richfield Co. (guidelines)
311	Western Regional Council
312	Pacific Gas and Electric Co.
313	National Coal Assoc.
314	Pacific Gas and Electric Co. (guidelines)
315	Brunswick Pulp & Paper Co. (guidelines)
316	Nevada Dept. of Conserv. and Natural Resources, Division of Environmental Protection
317	Environmental Research & Tech. (guidelines)
318	E. I. DuPont de Nemours & Co.
319	Associated Oregon Industries
320	International Assoc. of Fish and Wildlife Agencies
321	Dept. of Energy - enclosing "Potential Visibility Impairmant From Industrial Source Emissions"
322	Duke Power Co. (guidelines)

IV-D Comments (continued)

Number	Commenter
323	Southern Forest Products Assoc.
324	Potlatch Corp.
325	Dept. of Energy (guidelines)
326	U.S. Dept. of the Interior
327	Western Regional Council (guidelines)
328	Platte River Power Authority
329	Texaco Inc.
330	Texas Utilities Services, Inc.
331	Tennessee Gas Transmission
332	Oregon Dept. of Environmental Quality (guidelines)
333	Hunton & Williams for UARG (see also IV-D-271)
334	Hawaii Dept. of Land and Natural Resources, Division of Forestry and Wildlife
335	Cities Services Co.
336	Dept. of Agriculture - Office of the Secretary
337	Hugh Sebastian, Albion, Michigan
338	Jane Sturtevant, Albion, Michigan
339	San Diego Gas and Electric
340	Illinois Department of Conservation
341	Bert Barry, Saint Louis, Missouri
342	Video-Info Publications
343	Paul Rea and Deborah McGee, Greely, CO
344	Barbara Girdler, Riverside, Connecticut
345	J. Cate, Waltham, MA
346	M. Troland, Oceanside, NY
347	Potomac Electric Power Co.
348	W. C. Thompson, Arthur, W. Va.
349	A. Bunder
350	Davis & Davis, Largo, Florida
351	A. Benioff, Berkley, California
352	I. Leander, Evanston, Illinois
353	B. Heckel, Laguna Beach, California

IV-F Comments

Number	Commenter
1	Transcripts of Proceedings, Washington, D.C.
2	Transcripts of Proceedings, Salt Lake City, Utah
3	Comments of Friends of the Earth made at the Proceedings
4	Statement of Williams B. Harrison, on behalf of Southern Company Services
5	State of Hunton and Williams
6	Statement of Jack Jenkins, Utah International Inc. representing the National Coal Association
7	Statement of J. W. Gnann, Union Camp Corporation
8	Statement of Blaine Fielding of the American Paper Institute and the National Forest Products Assoc.
9	Statement of Russell Hulse, Western Energy Supply and Transmission Assoc.
10	Statement of Southern California Gas Company
11	Statement of Eugene M. Trisko, for Stern Brothers, Inc.
12	Statement of Priscilla Robinson, for Southwest Environmental Service
13	Statement of Edwin Roberts, Atmospheric Sciences, Arizona Public Service Co.
14	Statement of Utah Power and Light Co.
15	Statement of National Assoc. of State Foresters
16	Statement of North Idaho Forestry Assoc.
17	Statement of John Thielke, for Puget Sound Power and Light Co.
18	Statement of John McKenzie, for Pacific Gas and Electric Company

IV-F Comments (continued)

Number	Commenter
19	Statement of Nils I. Larson, for the State of Arizona
20	Statement of Wallace W. Carey, for Industrial Forestry Association
21	Comment of Ron Guenther, Fort Bragg, California
22	The Montana Power Co.
23	Governor Scott M. Matheson
24	John McNamara, Salt River Project
25	Utah Environment Center
26	Public Service Co. of Colorado
27	Michael Foster, Chevron
28	Western Systems Coordinating Council
28a	Supplementary information to above
29	Ted Phillips, Pacific Power & Light
30	F. E. Templeton, Kennecott Copper
31	Inland Forest Resource Council
32	Colorado-Ute Electric Assoc., Inc.

IV-C Comments

Number	Commenter
3	Governor Herschler, Wyoming
4	Scott Paper Company (through Warren Magnuson)
5	Puget Sound Power & Light Company (through Warren Magnuson)
6	Allegheny Mining Corp. (through Senator Robert Byrd)
7	Puget Sound Power & Light Company (through Rep. Al Swift)
8	Roberts - Citizen, through Sen. Herman Talmadge
9	Davidson - Forester, through Rep. John Hammerschmidt
10	Virginia Manufacturers Association (through Rep. William Whitehurst)
11	Governor Atajck, Oregon (through Sen. Mark Hatfield
12	Representative Beryl Anthony
13	Levy - Citizen (through Rep. Ike Andrews)
14	Eads, Council on Wage and Price Stability
15	Virginia Manufacturers Association (through Rep. Joseph Fisher)
16	Sanders - Forester (through Rep. James Broyhill)

Verville, South Dakota Department of Game, Fish and Parks, IV-D-1

Opposes regulation's application to prescribed burning:

- Prescribed burning is not a major source which contributes to Class I visibility impairment. Prescribed fires rarely emit more than 250 T/yr at a given location.
- Prescribed fires contribute less than natural fires did years ago.

Opposes inclusion of Integral Vistas concept:

- Protection of "buffer" areas around Class I areas was not legislative intent.

Establishing baseline or "natural" visibility levels will be nearly impossible:

- In some cases, natural levels were worse than present levels.

Federal Government should underwrite costs of monitoring visibility of Class I areas.

Fielding, American Paper Institute, IV-D-2

Request for time at June 30 hearing.

Hutchins, Concerned Citizen, IV-D-3

Opposes the regulation's application to prescribed burnings:

- Prescribed burnings for range and forest management should be specifically exempt.

Opposes inclusion of Integral Vistas concept:

- Concept of Integral Vistas is not mentioned or implied in the Act. Entire concept should be stricken from regulations.

Language is vague or confusing:

- Language describing state responsibilities in weighing comments of Federal Land Managers must be more specific.
- "Visibility impairment" needs better definition. "Significant" impairment is not mentioned in the Act. This concept should not be included in the regulations.
- Are both prescribed fires and wildfires started accidentally by man to be considered man-made pollution? (51.301(K))
- The language in 51.304(e) "within its boundaries" is not clear.

States should not determine visibility impairment in Class I areas:

- The Act does not give responsibility to the state for identifying visibility impairment in Class I areas--this is clearly the responsibility of Federal Land Managers.

Winger, Concerned Citizen, IV-D-4

Opposes the regulation's application to prescribed burning:

- Alternates to prescribed fires (chemicals, mechanical site clearing, uncontrolled wildfires) have greater environmental impact.
- Regulations governing prescribed fires are beyond the intent of Congress.

Dressel, Concerned Citizen, IV-D-5

Opposes the regulation's application to prescribed burning:

- Alternates to prescribed fires (chemicals, mechanical site clearing, uncontrolled wildfires) have greater environmental impact.
- Fire is a natural part of forest ecology.
- Regulations governing prescribed fires are beyond the intent of Congress.
- Remote Class I areas are enjoyed primarily by a small, affluent segment of the public. The public is benefited more if visibility is protected more in populated areas than in unpopulated areas.

Freedman, Concerned Citizen, IV-D-6

Opposes regulation's application to prescribed burning:

- Alternates to prescribed fires are undesirable (chemicals, wildfires).
- Prohibition of prescribed fires would increase costs of silvicultural activities.

Self, Forester and Wildlife Biologist, IV-D-7

Opposes the regulation's application to prescribed burning:

- Alternates to prescribed fires (chemicals, mechanical site clearing, uncontrolled wildfires) have greater environmental impact.
- Regulations governing prescribed fires are beyond the intent of Congress.
- Fire is a natural part of forest ecology.

Refers EPA to E. Komarek, Sr. and associates at the Tall Timbers Research Station, Tallahassee, Florida as recognized authorities in fire ecology.

Hagelston, Concerned Citizen, IV-D-8

Opposes the regulation's application to prescribed burning:

- Most states and many local governments already have regulations and controls addressing prescribed burning and their smoke impact.
- Prescribed burning is not a major point source which contributes to Class I visibility impairment.
- USDA Forest Service Technical Report SE-10 (December 1976) contains adequate guidelines for the management of smoke from prescribed fires.

Russell, Council on Wage and Price Stability, IV-D-9

COWAPS advises EPA that visibility regulations will be reviewed by Regulatory Analysis Review Group.

Jeffrey, Registered Forester, IV-D-10

Opposes regulations application to prescribed burning:

- Stategically planned prescribed fires prevent massive wildfires.

Taylor, Concerned Citizen, IV-D-11

Opposes regulation's application to prescribed burning:

- Prescribed burning presents no real problem in the visibility management of forestry.
- Prescribed burning is environmentally beneficial; it improves wildlife habitat, improves the forest fauna, and it prevents dangerous wildfires.

Reese, Concerned Citizen, IV-D-12

Opposes regulation's application to prescribed burning:

- Regulations governing prescribed fires are beyond the intent of Congress.
- Alternates to prescribed fires (chemicals, uncontrolled wildfires) have greater environmental impact.
- Fire is a natural part of forest ecology.
- Smoke management plans should address only populated areas - not unpopulated areas.

UARG, IV-D-13

Notice of Nature and Scope of the proposed visibility program is inadequate:

- Visibility monitoring interim and final guidance documents, not available.
- Modeling guidance document, not available.
- Portions of the guidelines for assessing costs of retrofit, not available.
- Guideline for new source review, not available.
- Guideline for prescribed burning, not available.

With no monitoring guidelines available, the criteria for selection of impacting sources will be hampered.

With no modeling or other guidelines to show the relationship between controls and visibility improvement it is impossible to show how BART analysis will be conducted or to what degree they will be effective.

- "As a result, the proposals preclude public comment on the specific nature of BART assessments and their potential impact on individual sources".
- With supposedly major revisions to the BART guidelines, it is impossible to understand how BART assessments will be made or to evaluate their potential impact.
- Author cites several court decisions in the D.C. circuit which indicate documents supporting or defining the regulations should be available for public review and comment. The author states the current proposals fail to apprise the public.
- Basis for the proposed rules has not been included in the docket. That is, the background reports done for EPA and the report to Congress.

The agency should suspend the comment period and either (1) repropose the rules after the guidelines and other documentation, or (2) repropose rules to reflect the limitations in the agency's data base.

- Extend promulgation date and have a new proposal date.
- The nine month period following promulgation for SIP revision is inadequate.
- The thirty-nine day comment period is inconsistent with past EPA rule making policy for major issues. In the past three months has been allowed for several rule makings.
- If EPA will not repropose, then a 30-day extention for comments and an additional 30-day rebuttal period should be allowed.

Sanders, Concerned Citizen, IV-D-14

Opposes regulation's application to prescribed burning:

- Regulations governing prescribed burning are beyond the intent of Congress.
- Prescribed burning is not identified by EPA as a major point source affecting visibility.
- Fire is a natural and beneficial part of forest ecology.
- Alternates to prescribed fires (chemicals, uncontrolled wildfires) have greater environmental impact.

Utz, Concerned Citizen, IV-D-15

Opposes regulation's application to prescribed burning:

- Fire is a natural and beneficial part of forest ecology.
- Smoke management plans already exist in most states. These address problems affecting populated areas. Regulations requiring protection of unpopulated Class I areas might interfere with existing regulations.
- Prescribed fires contribute less than the counterpart wildfires do.
- Alternates to prescribed fires (chemicals, mechanical site preparation, uncontrolled wildfires) have greater environmental impact.

Sanders, Forester (through Rep. James Broyhill), IV-C-16

Opposes the regulation of prescribed burning.

- No replacement for fire as a forestry tool.
- Uses no fossil fuel other than that to make firebreaks.
- Would have to replace with machines.
- Cost to landowners would go up 15 times.

David L. Bowden, Longview Fibre Company, IV-D-17

Opposes the regulation's application to prescribed burnings:

- Forest lands should be managed to produce the maximum benefits in forest products to society. Prescribed burnings for range and forest management should be exempt.

Questions existence of visibility impairment:

- Prevention and control of wildfire in modern times maintains visibility standards which are below the naturally occurring levels of prior years.

Earle F. Young, Jr., American Iron and Steel Institute, IV-D-18

Proposed rulemaking inconsistent with Clean Air Act:

- Section 169A(e) states that regulations shall not require buffer zones.
- Proposed Rulemaking - Section 51.302(c)(2) provides for buffer zones - "Integral Vistas".

Opposes inclusion of Integral Vistas Concept:

- Might leave very little land area unregulated.

Time frame for submitting revised SIP including visibility amendments is too short.

Questions whether specific point source located in the vicinity of Class I regions are a significant source of visibility impairment.

- Particles in size range 0.1-2.0 μm influence visibility due to light scattering phenomena.

Opposes visibility determinations on humid days:

- When humidity exceeds 70% R.H., most significant source of visibility impairment is from nuclei of condensed moisture.

Charles F. Finley, Jr., Virginia Forestry Associations, IV-D-19

Opposes the regulation's application to prescribed burnings:

- Prescribed burnings for range and forest management should be exempt.
- Controlled burning decreases number of uncontrolled wildfires.
- Loss of prescribed burning would result in higher costs for the land owner and higher consumer costs of wood and paper products.

John M. McEntire, Concerned Citizen, IV-D-20

Opposes the regulation's application to prescribed burnings:

- Prescribed burnings for range and forest management should be exempt.
- Fire is an excellent wildlife management tool.

Al Cook, Concerned Citizen; IV-D-21

Opposes the regulation's application to prescribed burnings:

- Prescribed burnings for range and forest management should be exempt.
- Alternatives to prescribed burnings have a greater environmental impact.

R. Robert Russel, Regulatory Analysis Review Group, Executive Office of the President, Council on Wage and Price Stability, IV-D-22

LIST OF CONCERNS - NOT SUPPORTING OR OPPOSING THE PROPOSED RULEMAKING.

1. Selection of areas to be protected by visibility standards:
   - Result in additional areas subject to visibility regulations.
   - Questions whether this addition aids the program or creates uncertainty.

2. The kind of visibility protection to be afforded:
   - Limits the states' discretion to one source or group of sources and by the Federal land manager's discretion in identifying integral vistas.

3. Controls on existing sources:
   - Does not allow states to base standards on comparisons of the costs and benefits of controls on existing sources.
   - Does not specify the existing sources that will be controlled.
   - Does not specify means of determining BART.
   - Does not indicate the cost of compliance.

4. Controls on New Sources
   - Prevent comparisons of the cost and benefits of costs and benefits of controlling new sources by the states.
   - Does not specify the cost of denying a permit.
   - Does not specify compliance time frame.
   - Questions distinction between new and existing sources.

Starr W. Reed, Simpson Timber Company, IV-D-23

Opposes the regulation's application to prescribed burning:

- Prescribed burnings for range and forest management should be exempt.
- EPA does not have a Congressional Mandate to force states to control all impediments to visibility.
- Wood smoke is as much a part of the naturally occurring atmosphere as is water vapor and airborne pollen.
- Alternatives to prescribed burnings (herbicides, tractors) have greater environmental impact.

Attached Enclosure: "Fire's Role in the Forest Ecosystem of the Pacific Northwest" by Michael R. Truax, Simpson Timber Company, February 25, 1980, substantiates Simpson's opposition with references.

David F. Stevens, Research Forester, IV-D-24

Opposes the regulation's application to prescribed burnings:

- Prescribed burnings for range and forest management should be exempt.
- Alternatives to prescribed burning have greater environmental impact.
- Fire is an excellent wildlife management too!

R. E. Maxwell, Concerned Citizen, IV-D-25

Opposes the regulation's application to prescribed burning:

- Prescribed burning for range and forest management is necessary.
- Recommends distinguishing between prescribed burning and stationary sources.
- Congress did not intend prescribed burning smoke to be a significant source of visibility impairment.
- Requires states without air quality problem to consider smoke management techniques for agricultural and forest management.
- Alternatives to prescribed burning have greater environmental impact.

Bert E. Cole and Paul E. Krauss, State of Washington, Department of Natural Resources, IV-D-26

Supports visibility regulation for prescribed burning:

- Without prescribed fire results in unregulated fire.
- Recommends using prescribed burning data in establishing the baseline for deriving the measurement of visibility impairment.
- Prescribed fire is the best alternative available over wildfire to maintain ecosystems.
- Recommends distinguishing between prescribed burning and stationary sources.
- State should have adequate flexibility in considering smoke management techniques in the Smoke Management Plan achieving EPA's visibility goal.
- Regional and urban plumes should be considered in the future.

Opposes inclusion of "integral vistas" outside Class I areas:

- Beyond intent and scope of the law.

Heather Noble, Town of Crested Butte, Colorado, IV-D-27

Supports proposed visibility regulations.

Supports the provisions requiring best available retrofit technology on existing sources.

Integral Vistas:

- Criteria are vague.
- Federal land managers discretion in designating those vistas is undesirable.
- Concerned about whether the vista is part of the reason the park or wildness was created being used as a criteria.

El Paso Gas, IV-D-28

Opposes the definition of "potential to omit":

- Too encompassing with the assumption of continuous operation.

Supports definition of "reasonably attributal".

Comments on "visibility impairment":

- Questions data used for contrast threshold.
- Questions frequency of observed impairment which would trigger BART review (not explicit in regulations).
- Questions visible observation as means of identifying impairment - source.
- Opposes language and opinion that seasonal variability can be used as basis for aiding in setting standard. Author assumes seasons all same.

Opposes reanalysis of BART in future.

Opposes requirement for visibility monitoring:

- Until EPA promulgates a "reference method".

Comment on visibility models:

- Interim guideline document should have statement - only rough estimate until models refined.

Opposes Intergovernmental Cooperation:

- States the regulations are vague and subjective. Claim present regulations may not be enforcable.

Opposes third alternative with respect to integral vistas.

- The section, that gives 30 days for FLM to identify integral vistas after notified of new source, should be eliminated.
- Too great a burden on industrial planning.

Opposes - FLM recommend integral vistas and EPA promulgate list:

- Specifically language "with any change it feels is appropriate".
- List should have review of State, and EPA should not make total decision.

IV-D-28 (continued)

Opposes terms "natural and existing conditions":

- Finds these confusing.

Comments on Document "Preliminary Assessment of Economic Impacts of Visibility Regulations".

Objects to language on the near-field plum impacts measurements:

- Questions both language and data.

Claims error in sources identified:

- Claims some sources identified always upwind and could not impact on Class I areas.

Claims faulty data used:

- Based on fact NEDS data used.

VA Farm Bureau Federation, IV-D-29

Opposes restricting prescribed burning:

- Farmers need as tool to prepare planting sites for tree seedlings.

Michigan Botanical Club, IV-D-30

Supports the promulgation of regulations.

Opposes 30 day period for FLM to review new source permits.

- Suggests a 1 year period for review.

Speed up Phase II:

- More work on Haze problem.
- Guidelines for monitoring and modeling needed.

K. Anglemyer, IV-D-31

Support "integral vistas".

M. Anglemyer, IV-D-32

Support regulations proposed:

- Strongest possible regulations.

Utah Environmental Center, IV-D-33

Comments on Salt Lake City Public Hearing - Timing:

- Public notified too late.
- Meeting held during week of July 4, poor choice.
- Meeting held during daytime hours only.

WEST Assoc., IV-D-34 (Western Energy & Supply & Transmission)

Opposes "integral vistas".

- Does not follow Congressional intent.

Legal considerations of the regulations:

- Esthetically based, rather than health-related legislation and rulemaking may not be authorized and constitutional.
- The rulemaking ignores scientific and Congressional understanding of "visibility impairment".

Energy and economic considerations:

- Could affect reliability of electric power supply.
- Could lock up land mass larger than all states east of the Mississippi.

EPA has failed (at the time this was written) to supply criteria/ guideline documents.

WEST proposes a six increment procedure:

- The increments go to May, 1995.
- The steps outline a research program.

The definition, causes and measurement of visibility impairment are not developed enough to support the proposed regulations:

- Modeling techniques need to be validated to support BART determinations.
- Monitoring needs to be developed and refined.
- Siting power plants should not be subject to "eyeball" judgement.

There is no demonstration of visibility benefit in the proposed rule or the EPA "Retrofit Guidelines for Coal-Fired Power Plants".

- This makes BART premature.
- The control technologies may not control visibility impairment.
- The reanalysis provision sets up a "moving target" for industry.

The New Source Review provisions could seriously affect energy and other forms of development in the western states.

Research such as the VISTTA study must be continued and expanded.

IV-D-34 continued

- Overview of SW visibility should be completed.
- A visibility data bank factoring in historical visibility, air quality, etc. should be developed.
- Review of measurement techniques.
- Study aerosols and light scattering measurement comparisons.
- Nature of sulfate conversion in plume study.
- Study of existing field observations of power plants to develop visibility/plume relationships.

The proposed regulations, presumed benefits, are unquantified and uncertain compared to the energy and economic costs which would be incurred.

The visibility regulations may have a profound affect on future power production in the southwest.

- As much as 89% of the Western Region could be affected by these regulations.
- Visibility regulations may affect 75% of all coal-fired capacity operating in the Western Region.

The proposed regulations have not given adequate consideration to the economic consequences.

- Power rates may rise by 33% in some areas because of visibility rulemaking.
- Could affect 1.5 million jobs in the Southwest.
- BART will serve to extend the lines of older, more inefficient power plants - capital is not available for BART and expansion.

The proposed rule could be unconstitutional:

- It would interfere with use of power plants and constitute a "taking" of property.
- Rule is in excess of statutory delegation.
- EPA has shifted the focus of visibility regulation from regional protection (Congressional intent) to localized protection.
- Rulemaking that is technically flawed and with no scientific basis is legally unacceptable.

Opposes the concept of "integral vistas".

- Integral vistas are tantamount to "buffer zones" - which are prohibited in the Act.

WEST was concerned because guidance documents were not available at the time of proposal of the regulations.

The threat of paragraph 120 penalties puts the utilities in an untenable position.

- The utilities would be faced with complying with BART or paying noncompliance penalties.

Frances Dollar, Concerned Citizen, IV-D-35

Supports integral vistas.

Jane Heath, Concerned Citizen, IV-D-36

Supports concept of integral vistas:

- The "agency in charge of the Class I areas" should decide where they exist.

Feels Phase II should be implemented as soon as possible:

- A specific date for the beginning of Phase II would be satisfactory.

Would like to see detailed guidelines for monitoring and control techniques.

Federal Land Managers should have a strong, active role in the program.

Harold Wayne Crump, Concerned Citizen, IV-D-37

Supports concept of integral vistas:

- Park service should determine where they exist.

Supports the requirement of modeling for all major new sources.

Clifford N. Smith, Concerned Citizen, IV-D-38

Supports visibility program.

Robert E. Morgan, Concerned Citizen, IV-D-39

Supports the concept of integral vistas.

Supports addition of monitoring requirements to the regulations.

Federal Land Managers should have an aggressive role in the program.

Ken Warrow, Concerned Citizen, IV-D-40

Supports concept of integral vistas.

Supports the implementation of Phase II as soon as possible.

Would like to see detailed guidelines for monitoring.

Feels that Federal Land Managers should be given at least a year to determine adverse affects of new sources:

- Burden of proof should be placed on the source that there will be no adverse affects.

Elaine Stansfield, Concerned Citizen, IV-D-41

Supports concept of integral vistas.

Would like to see specific guidelines on monitoring.

Feels the burden of proof of adverse affects should be on both the source and the EPA.

Raymond J. Swatzyna, Director of Division of Forestry of the Department for Natural Resources and Environmental Protection in Kentucky, IV-D-42

Concurs with the National Association of State Forester's position (G. C. Moon Memo of July 1, 1980).

Deborah Morningstar, Concerned Citizen, IV-D-43

Supports integral vistas.

Mrs. Richard Teas, Concerned Citizen, IV-D-44

Supports the concept of integral vistas.

Urges EPA to give a specific date by which Phase II will be implemented.

Myra and Alan Erwin, Concerned Citizens, IV-D-45

Supports visibility program.

Colorado-Ute Electric Assoc., IV-D-46

Protesting unavailability of documents:

- Could not obtain a copy of "Protecting Visibility: An EPA Report to Congress".
- Guidelines not yet available.

Carlton N. Owen, Wildlife-Biologist and Registered Forester in Arizona, IV-D-47

Opposes regulation of prescribed burning:

- Prescribed burning enhances forest resources.
- Reduces forest diseases and insect populations.
- Increases aesthetic appeal.
- Reduces litter build-up.
- Lessens chances of wildfires.

Signey M. Hirsh, Concerned Citizen, IV-D-48

- Judgement of where integral vistas exist should be made on the basis of preservation of resources rather than energy or economic considerations.

Harold M. Phillips, Forester with International Paper Company, IV-D-49

Opposes regulation of prescribed burning:

- "Prescribed fire is used judiciously when all atmospheric conditions are right" which "results in minimal degradation of air quality".

George A. Blinn, Liberty National Life Insurance Company, IV-D-50

Supports the concept of integral vistas:

- The agencies in charge of the Class I area should determine where they exist.
- Judgement should be made on the basis of preservation of resources rather than energy on economic considerations.

Urges EPA to specify date by which Phase II will be implemented.

Would like to see detailed guidelines on monitoring existing sources and modeling new sources.

Federal Land Managers should have key role in the program:

- They should have up to one year to determine the adverse impacts of a new source.
- The burden of proof of no adverse impacts should be on the source.

Ronald O. Skoog, Commissioner of the Alaska Department of Fish and Game, IV-D-51

Opposes regulation of prescribed burning:

- Smoke from management fires is important to the ecosystem function in Alaska.

Scot Frazer, Concerned Citizen, IV-D-52

Supports concept of integral vistas.

Federal Land Managers should have strong roles in the program.

Robert W. McConnochie, Concerned Citizen, IV-D-53

Supports the concept of integral vistas:

- Should include vistas from outside the park.
- Judgement should be made on the basis of preservation of resources rather than energy or economic considerations.

Federal Land Managers should have a strong role in the program:

- They should have up to one year to determine if a new source will have adverse impacts on a national park or wilderness area.

Responsibilities for implementation of regulations by National Park Service and other Federal Land Managers needs to be more clearly defined.

James R. Hamilton, Concerned Citizen, IV-D-54

Supports concept of integral vistas:

- They should include vistas from outside the parks.
- Judgement should be made on the basis of preservation of resources rather than energy or economic considerations.

Supports "best available retrofit technology."

Federal Land Managers should have authority to implement visibility protection for their own Class I areas.

- They should have up to one year to determine if a source has adverse impacts on a park or wilderness area.

EPA should issue "without delay" specific guidelines on monitoring and new source modeling.

Robert Franz, Concerned Citizen, IV-D-55

- 90 day limitation for designating integral vistas is not long enough.
- Endorses 30 day period to classify an integral vista when a new source permit is applied for.

John G. New, Chairman of Biology Department at State University College in Oneota, New York, IV-D-56

Supports concept of integral vistas.

Federal land managers should have strong roles in visibility program.

- Burden of proof of no adverse affects should be on industry.

Urges EPA to establish specific date for implementation of Phase II.

Feels it is urgent that modeling and monitoring are made part of the program immediately.

Connie Yarbrough, Concerned Citizen, IV-D-57

Supports concept of integral vistas:

- Judgement should be made on basis of preservation of resources rather than energy or economic considerations.

Federal Land Managers should have an aggressive role in visibility program.

Urges a specific date for implementation of Phase II.

Urges EPA to issue specific buidelines for monitoring and modeling new sources.

League of Women Voters of U.S., IV-D-58

Support the proposed regulations - with comments:

- Proposed definition of visibility impairments too subjective.
- Support phased approach, but a schedule for later phases should be included in the final rule.
- Identification of integral vistas should be responsibility of the FLM's.
- Monitoring provisions are inadequate. Specific monitoring guidelines are necessary.
- Requirements for long-term planning by states are vague.

Should encourage states to go beyond federal requirements for "grandfathered" sources:

- States should establish compliance schedules.
- EPA should propose legislation to control pollution from older (more than 15 years prior to August 7, 1977) sources.

Proposed rules do not adequately delineate EPA's role and responsibilities.

Mahlon K. Rudy, Director of Member Relations for the Virginia Agribusiness Council, IV-D-59

Opposes regulation of prescribed burning:

- Any new restraints on it would mean increased costs to landowners and higher prices for forestry products.

George Anderson, Manager of Forest Improvement, Department of Brunswick Pulp Land Company, IV-D-60

Opposes regulation of prescribed burning.

M. R. Warmer, Concerned Citizen, IV-D-61

Supports concept of integral vistas:

- Agency in charge of Class I areas should determine where they exist.

Federal Land Manager should have an aggressive, well defined role:

- Should be allowed up to a year to determine if a new source will have adverse affects on visibility.
- Burden of proof of no adverse affects should be on source.

A specific date for implementation of Phase II is needed.

Calls for detailed guidelines for monitoring techniques.

James Frye, Concerned Citizen, IV-D-62

Urges specific guidelines for monitoring and new source modeling.

Ben Park, Executive Vice President of the North Carolina Forestry Association, Inc., IV-D-63

Opposes regulation of prescribed burning:

- Reduces wildfires.
- Encourages regeneration.

Gailey, Concerned Citizen, IV-D-64

Supports concept of integral vistas.

Federal Land Managers roles should be better defined and more aggressive.

EPA should specify a date for the implementation of Phase II.

EPA should issue detailed, specific guidelines for monitoring and modeling.

United Power Assoc., IV-D-65

Posed seven questions:

1) What is present visibility in Class I areas?
2) What instrumentation is utilized and how accurate is it?
3) What is the appropriate value to attach to an obtained visibility value?
4) What criteria does the Department of Interior use to rank or compare one Class I area with another?
5) What input does a park visitor have in rating visibility?
6) Is visibility an absolute value or is it based upon subjective judgement?
7) What does the Federal Land Manager use as criteria in determining natural conditions?

Questioned Economic Impact.

- What criteria will be used to determine when economic impact becomes a factor in visibility impairment.

Questioned relation to health and welfare:

- Does decreased visibility impact on health or welfare?

Opposes integral vista concept:

- Appears EPA is expanding the statutory scope of 169A.

Opposes the regulations:

- Feels the regulations are unjustified.

American Pulpwood Assoc., IV-D-66

Opposes Sec. 51.306(f)(5) dealing with prescribed burning.

- Prescribed burning has less harmful effects than wildfires.
- Used for forest management purposes.
- Intent of the act was toward control of stationary sources.
- Strike reference to forest management from the proposed regs.

Richard C. Allen, State Forester in Mississippi, IV-D-67

Opposes restriction of prescribed burning.

David Vaso, Concerned Citizen, IV-D-68

Supports visibility program.

Ron Graybeal, Concerned Citizen, IV-D-69

Supports visibility program.

Roscoe A. Polland, Director of Conservation Call, IV-D-70

Federal Land Managers should have strong role in visibility program.

- They should have one year to determine adverse impacts on Class I areas.
- The burden of proof of no adverse affects should lie on the source.

EPA should set a date for implementation of Phase II.

Would like to see specific guidelines on monitoring and new source modeling as soon as possible.

Josephine Ciak, Concerned Citizen, IV-D-71

Supports concepts of integral vistas:

- When it only includes views from inside the park.
- The agency in charge of the Class I area should determine where they exist.
- Judgement should be made on the basis of the preservation of resources rather than energy or economic considerations.

Federal Land Managers should have well defined strong roles in the program.

- They should be permitted up to one year to determine the adverse impacts of a new source.
- The burden of proof of no adverse affects should be on the source.

EPA should specify a date for the implementation of Phase II.

EPA should issue detailed specific guidelines on monitoring and new source modeling as soon as possible.

Royce Satterlee, Concerned Citizen, IV-D-72

Opposes regulation of prescribed burning.

Stephen L. Ramsdell, President of Southern Arizona Environmental Council, IV-D-73

Supports visibility program.

NCASI, IV-D-74

Opposes definition of visibility impairment as presented:

- Propose the definition: a "humanly perceptible change in visual range, contrast, or coloration that interferes with the viewing of important scenic landmarks or panoramas, and is caused solely by manmade air pollution". Based on the fact that any plume would be subject to the EPA proposed definition.
- Adopting the NCASI definition would reduce the number of existing sources subject to 169A.
- Provide more guidance to States and FLM's.

Opposes allowing FLM's to select impacting existing sources on a visual basis.

- A selected rating panel should make the observations on all selected areas.

Comment on inconsistency of selection of the 156 completed visibility assessments:

- Wide variation in the criteria among FLM's for listing particular sources as having a possible effect on Class I area visibility.

Oppose use of unvalidated models.

- Models should be validated before used to assess changes in visibility resulting from existing sources or from those sources with additional control equipment.
- After validation any model should be included in EPA's Guideline On Air Quality Models.

Opposes use of unvalidated models to predict impact of new or modified sources:

- EPA should not require a visibility impact analysis in a PSD permit application unless a source is located close enough to a Class I area and is large enough to cause concern.
- Suggests further research to determine levels for when visibility should be included in PSD permit application.

Opposes concept of integral vistas:

- It is not explicit in paragraph 169A.
- In effect extends boundaries of Class I areas.
- Conflicts with present PSD system where SO_2 and TSP increments apply within the Class I area only.
- If integral vistas are in final regulations, they should be stringently reviewed, and very definite criteria for impact should be developed.

Supports concept of development of long-term visibility protection strategies.

Support the development of smoke management guidelines for prescribed burning:

- Forest service should develop these.
- Consideration should be given to tradeoffs with the impact from potential wildfires.

Walter Rivers, Concerned Citizen, IV-D-75

Supports concept of integral vistas:

- Judgement should be made on basis of preservation of resources rather than energy or economic reasons.
- Should include vistas encountered while approaching the parks.
- The agency in charge of the Class I area should decide where they exist.

Federal Land Managers should have a very active well defined role in the program.

- They should be allowed at least one year to determine if there will be adverse impacts from a source.

Urges EPA to set a specific date for implementing Phase II.

Would like EPA to issue detailed guidelines for monitoring.

William C. Dockins, Timber Manager for Montana Pole and Treating Plant, IV-D-76

Opposes regulation of prescribed burning:

- Promotes germination of seeds.
- Reduces potential fire hazard.

Charles F. Walters, General Manager of Electric Division of Department of Public Utilities in Wallingford, Connecticut, IV-D-77

Opposes the visibility program in general.

Union Camp, IV-D-78

Opposes regulation of prescribed burning.

- Prescribed burning is conducted in a way as to minimize adverse environmental effects.
- Burning is used for site preparation as opposed to mechanical clearing or herbicides.
- Burning is used for wildlife management.
- It is a desirable substitute for wildfires.

Kathleen Oss, Concerned Citizen, IV-D-79

Supports visibility program.

Mrs. M. Mathews, Concerned Citizen, IV-D-80

Supports visibility program.

Missouri Department of Natural Resources, IV-D-81

Comment on responsibility for visibility impairment determination:

- Unclear whether FLM or State has responsibility.
- Unclear how often observation should be made.

Opposed to states considering integral vistas as part of SIP's.

- Since 169A(e) prohibits Administrator from requiring the use of automatic or uniform buffer zone or zones.

Presented problem not covered in proposed regulations (author says)

- A source may exist in one state - with no mandatory Class I areas, but may affect visibility in Class I area in another state.

Comment on definition of "visibility impairment".

- Too subjective.
- Will standard method be developed?

Comment on "natural conditions":

- Too subjective.
- Dependent on observer.

EPA should supply names and address of FLM's.

Opposed to application to EPA for BART exemption.

- State is responsible for preparing the BART analysis, and require the source to install BART, but cannot determine exemption.

Opposed to the new source procedures in Section 51.307 as proposed:

- Opposed to notifying FLM and appears to give veto power over state permit to FLM.
- It appears FLM would be notified twice for the same application.
- Not clear what "an adverse impact on visibility" refers to in 51.307(b).
- It is not clear in 51.307(g) who will resolve disputes between FLM and state.

Comment on visibility impairment:

- Contrast change perceptible of 0.02 to 0.05 was not included in the proposed regulations.
- Training available to detect visibility impairment?

IV-D-81 continued

Comment on reanalysis of BART:

- Should not be on a regular basis.
- Should be a minimum grace period between BART installation and reanalysis at that facility in order not to overly burden a company financially.
- The state should have primary discretion to reanalyze BART.

Opposed to consultation with FLM on anything other than exemption (Section 169A(a)(2)).

- Claim there is no statutory basis for consultation.
- State believes if Congressional intent were there, it would have been explicit.

Michael Barry and Laura Corbin, Concerned Citizens, IV-D-82

Supports concept of integral vistas.

Federal Land Managers should be given strong roles in the program.

States should be required to set dates against which progress can be measured.

Stephen Tognoli, Concerned Citizen, IV-D-83

Supports visibility program.

Matthew Brennan, Concerned Citizen, IV-D-84

Supports concept of integral vistas:

- The agency in charge of the Class I area should determine where they exist.
- Judgement should be made on the basis of preservation of resources rather than energy or economic considerations.

Federal Land Managers should have well defined, aggressive roles in the program.

Urges specific date for implementation of Phase II.

EPA should issue specific guidelines for monitoring and new source modeling.

H. Mike Miller, State Forester in Oregon, IV-D-85

Opposes regulation of prescribed burning:

- It controls insects.
- It increases forest yields.
- It reduces occurrence of wildfires.
- It pollutes less than wildfires.
- EPA is attempting to deal with natural source rather than man-made.
- Smoke from prescribed fires has not been proven to adversely impact Class I areas.
- Proposed regulations would not meet forest management needs.
- Proposed regulations would not provide measurable air quality benefits as a result of forced reduction of burning.

Opposes concept of integral vistas:

- EPA is attempting to regulate beyond the intent of Congress.
- It violates section 169A(e) of the Clean Air Act. "Administrator shall not require the use of any automatic or uniform buffer zones...".
- It violates section 164:
  - EPA attempts to reclassify integral vistas as Class I areas.
  - Only states have the authority to redesignate areas to Class I status.
- Concept of integral vistas should be removed from the final rules.

Opposes section 51.306(g):

- EPA is telling the states how to do the job rather than requiring that it be done.

Language is unclear:

- EPA should clarify how it intends to evaluate impacts from prescribed burning when comparing them to the impacts from wildfire - the explanation given in the "Supplemental Statement of Basis and Purpose," (3) Visibility Impairment, p. 34773 is not consistent with the analysis techniques EPA uses for other sources.

IV-D-85 continued.

Supports definitions of "significant impairment" and "adverse impairment":

- They should include "the extent, intensity and duration of the impairment as well as the other variable mentioned.
- Class I areas that may be significantly impaired by a source should be determined by the state on variables EPA identified.

Ethel Thorniley et al, Concerned Citizens, IV-D-86

Support concept of integral vistas:

- Including vistas encountered when approaching the parks.

Want a strong, aggressive role for Federal Land Managers.

Want EPA to add specific monitoring requirements to the regulations.

Ralph Leon, Concerned Citizen, IV-D-87

Supports visibility program.

Lee Grant Snyder, Concerned Citizen, IV-D-88

Supports visibility program.

Karin Tilberg, Co-Chairman of Firends of Earth, Marine Branch, IV-D-89

Supports integral vistas.

NM Citizens for Clean Air and Water, IV-D-90

Comment on ICF report "Preliminary Assessment of Economic Impact of Visibility Regulations".

- ICF found the impact would be twice as high as data submitted by the utility (Arizona Public Service Co.) would indicate on cost analysis.
- The author also did cost analysis for BART and found much lower figures than ICF.

Connie Hewett, Concerned Citizen, IV-D-91

Supports visibility program.

Rick Hewett, Concerned Citizen, IV-D-92

Supports visibility program.

Carol Ruckdeschel, Concerned Citizen, IV-D-93

Supports visibility program.

Stephen B. Austin, Concerned Citizen, IV-D-94

Supports visibility program.

Bob Jackson, Concerned Citizen, IV-D-95

Supports visibility program.

Duane E. Lamers, Concerned Citizen, IV-D-96

Supports visibility program.

John K. McBride, Silviculturist for St. Regis Paper Co., IV-D-97

Opposes concept of integral vistas:

- Vistas tend to be self contained in Montana.

Opposes regulations of prescribed burning:

- Best regulation of forest produced smoke is being done by the Montana State Airshed group.
- Fire is a natural process and a natural tool.

A. Stewart Bledsoe, Executive Director of the Washington Forest Protection Association, IV-D-98

Endorses comments of Mr. Blaine Fielding of the American Paper Institute and the National Forest Products Association of June 30, 1980.

Derry Culp, Concerned Citizen, IV-D-99

Supports concept of integral vistas:

- When it means only views from inside the park.
- Federal Land Managers should determine such vistas.
- Judgement should be based on basis of preservation of resources rather than energy or economic considerations.

Federal Land Managers should have a strong role in the program.

- They should have up to one year to determine adverse affects.
- Burden of proof of no adverse affects should be on the source.

EPA should specify a date for the implementation of Phase II.

Delaware Valley Citizens' Council for Clean Air, IV-D-100

Supports the proposed regulations.

Citizen - Hillman, IV-D-101

Supports the proposed regulations.

Citizen - Rapstine, IV-D-102

Supports the proposed regulations.

Citizen - Friendly, IV-D-103

Supports the proposed regulations:

- Specific visibility standards should be set.
- Monitoring should be required for existing sources.
- Visibility standards should be included in NSO's and SCS's.

Citizen, Wilson, IV-D-104

Supports the proposed regulations.

Eugene Marc Trisko, IV-D-105

- Presents comments on behalf of Stern Bros., Inc.
- Comments consist of a detailed report entitled "Prevention of Significant Deterioration and Visibility Protection: Critical Constraints to Domestic Energy Development".
- PSD and visibility regulations will limit the development of economically efficient mire mouth electric generating and synthetic fuel conversion facilities in West Virginia and most other coal reserve states.
- Report states that application of BACT and the current NAAQS could substantially achieve all the objectives of PSD and visibility protection.
- Up to 60% of West and 10% East may be off limits for new power plant siting due to Class I areas.
- Siting studies done in 1975 and 1976 underestimate size of buffer zones surrounding Class I areas.
- Integral vistas can extend 100 KM or more from Class I areas. Siting studies available to Congress did not consider this concept.
- Need to develop a long term dynamic plant siting model.
- Recommends Congress rethink visibility and PSD to conclusions siting problems and future coal development in U.S.

Smith, Attorney, EPA, IV-D-106

Questions the ability to meet the November 15, 1980 for final promulgation of the regulations:

- The extention of commenting period from August 5, 1980 to August 22, 1980 may hinder meeting the final date.

Citizen - Staten, IV-D-107

Opposes provision to regulate prescribed burning.

- Forest fires are a natural phenomenon.
- Already regulated by the states.
- Reduces hazard of wildfire and improves wildlife habitat.

N.J. - Div. of Parks and Forestry, IV-D-108

Opposes regulation of prescribed burning.

- Reduces chance of wildfire.
- Raises productivity of woodland. Creates a favorable seedbed for pine.
- Not burning produces more favorable conditions for wildlife.
- Enhances the aesthetic value.
- Reduces undesirable insects and plant disease.

Rees, Citizen, IV-D-109

Supports the proposed regulations, with comments:

- FLM should be responsible for conducting the visibility assessment review for new sources.
- FLM should have a clearly defined role in implementing visibility regulations.
- FLM should have 1 year to review new source impact.
- Burden of proof (new source) should be on the developer.
- EPA should specify a date for Phase II.

AL Forestry Assoc., IV-D-110

Opposes the regulation on prescribed burning.

- Assures the objectives of planned silviculture, agriculture, wildlife habitat, natural ecosystem management, and fire hazard reduction.
- Prescribed fires allo fires to be confined.
- Prescribed fires have a positive net impact on visibility protection.
- Important tool in management of timber land.

Allegheny Mining Corp., IV-D-111

Opposes the proposed regulations in general.

Specifically sites a power plant which if ceases to purchase fuel in the area (the plant impacts on a Class I area) will cause economic hardship:

- Vepco, Mt. Storm Plant is this company's primary customer.

Benefits of visibility do not justify cost:

- ICF studies did not include local economy impact.
- Costs are far out of line with the value to the public.

Visibility is not a health related issue.

Visibility impairment is reversible.

Citizen - Davidson, IV-D-112

Opposes the regulation of prescribed burning.

- Feels this is unwarranted.
- Prescribed burning is carried out in compliance with guidelines for proper smoke management.
- Periodic burning is a natural occurence.
- Improves wildlife habitat.
- Clears forest floor.
- Reduces chances of catastrophic fire due to fueld buildup.
- EPA's regs are in direct conflict with proper smoke management.

League of Women Voters of Texas, IV-D-113

Supports the proposed regulations, with comments:

- Development of improved monitoring technology.
- Specific standards for data collection should be set.
- Later phases should have definite deadline dates rather than the terms "three years" or "ten to fifteen years".
- Grandfathering should be modified to require BART by states.
- Role of FLM should be further clarified.

GA Forestry Assoc., Inc., IV-D-114

Opposes the regulation of prescribed burning.

- Hazard reduction - reduce chance of wildfire.
- Site preparation - reduces need for mechanical or chemical site treatment.
- Competition control - control hardwoods and brush in pine forests.
- Wildlife habitat maintenance - fire is used to favor game food species.
- The state maintains a smoke management system.
- Less pollution will be produced with prescribed fires than with wildfires.

Jensen, Citizen, IV-d-115

Supports the proposed regulations.

Johnston Lumber Company, IV-D-116

Opposes regulation of prescribed burning.

McGill, Citizen, IV-D-117

Supports the proposed regulations:

- Economic considerations should not be weighed unless they favor preserving the parklands.

Leind, Concerned Citizen, IV-D-118

Supports the proposed regulations:

- Monitoring provisions should be included.

Danforth, Concerned Citizen, IV-D-119

Supports the proposed regulations.

Florida Department of Agriculture and Consumer Service, IV-D-120

Opposed to control of prescribed burning:

- Prescribed burning is more desirable than other methods of control for silvicultural purposes.
- Also claims that wood smoke existed in the air before man-made pollution therefore a "national baseline" for visual impairment should include smoke from wildfires (as if they were to occur even if controlled burning is used).

Opposed to concept of integral vistas:

- State has the authority now to protect the vistas outside Federally managed lands.
- This is an extention by EPA of the jurisdiction granted by Congress.

Keim, Citizen, IV-D-121

Supports proposed regulations.

Seidman, Citizen, IV-D-122

Supports proposed regulations.

Peiser, Citizen, IV-D-123

Supports proposed regulations.

Van Leuven, Citizen, IV-D-124

Supports proposed regulations.

- Complaining specifically about Phelps-Dodge Smelter in Arizona.

Atlantic Electric, IV-D-125

Opposes BART Guidelines

- Disagrees with requiring 40CFR60, Subpart Da for BART.

Opposes "visibility impairment determination" deadline.

- Final rulemaking in November 1980 for this provision does not give the FLM adequate time to determine year-round visibility conditions.

Comments were made specifically on the effects of one power plant the company owns.

Comments on the ICF guideline:

- AE's England Station was in the guideline study. AE challenged the cost analysis as being too low by a factor of 3.

Citizen - Burling, IV-D-126

Support the proposed regulations:

- Monitoring should be required.

Opposes the grandfather clause for exempting facilities.

N.C. Cattlemen's Assoc. - Env. Mft. Comm., IV-D-127

Opposes regulation of controlled burning.

- Will impair visibility only short time.
- Will remove accumulation of fuel in forest, thereby reducing chance of wildfire.
- Will increase the availability of food to wildlife.
- Prescribed burning is already regulated (in California).

Citizen - McGoldrick, IV-D-128

Supports the proposed regulations.

Opposes the grandfather clause with exemption for facilities.

LA. Forestry Assoc., IV-D-129

Opposes regulation of prescribed burning.

- Proper forest management enhances the Class I areas.
- Needs come before visual beauty.
- Prescribed burning reduces chance of wildfire.

Citizen - Roberts, IV-D-130

Supports proposed regulations.

Opposes delegation of new source review to state agencies:

- EPA should assume the responsibility of final review.

Brands Corporation, IV-D-131

Opposes prescribed burning regulations.

Citizen, Wolff, IV-D-132

Supports proposed regulations:

- Supports integral vistas.
- There should be a buffer zone around Class I areas.

CA. State Grange, IV-D-133

Opposes control of prescribed burning.

- If implemented, however, wild fires should be considered part of a "baseline" for visibility impairment.
- Any restrictions on prescribed burning for visibility must be consistent with objectives of current state smoke management programs.
- Visibility program (burning) must be coordinated with the other programs of federal and state agencies, and private breakdowns.
- This is needed (burning) to reduce fuel hazards.
- Increase productivity.

Citizen - Suk, IV-D-134

Supports proposed regulations with exceptions:

- Need modeling for new sources.
- A specific date for BART installation should be set.
- National Park Service needs a strictly defined role in the process.
- Final regulations should state - burden of proof is placed on developer (new sources).

Citizen - Maxwell, IV-D-135

Supports proposed regulations.

Evans, Kitchel & Jenckes, P.C., IV-D-136.

- Comments submitted on behalf of Phelps Dodge Corporation.
- Proposal exceeds statutory authority in several respects. Foremost is integral vistas.
- EPA's reference to grad distant etc with respect to areas outside Class I area is meritless. These references could have been and probably were to vistas in one portion of a Class I area tc another.
- Legislative history is not helpful but what relevant legislative history exists indicated integral vistas are not permitted.
- Use of word "over" clarifies work "in" as used in 169A and demonstrates informity of EPA's position.
- 169A clearly does not provide for protecting integral vistas.
- Integral vistas in essence establish buffer zones which are precluded under 169A(e).
- Definition of existing major stationary source also goes beyond EPA's statutory authority. Should not include reconstructed sources. These sources are to be grandfathered by Act.
- Definition of FLM is not consistent with statutory definition in 302(i).
- FLM given far broader powers than entitled to under 169A. 169A gives FLM 3 powers.
- State is to prepare summary of FLM conclusions and recommendations.
- Regulations require FLM consultation beyond that required under Act. Sections 51.302(b)(3), (c)(4)(ii), (c)(4)(iii), 51.305(a), 51.306(b), (c)(i), (c)(2)(i), (c)(2)(ii), 51.307 (b)(c)(e)(f) and (g) are beyond scope of 169A(d).
- No role for FLM in BART. References to FLM 51.302(c)(4) should be deleted.
- Visibility impairment should be determined by average observer not those of highest degree of visual activity.
- 51.307 attempts to apply 169A to new sources. However, 169A is not applicable to new sources. 51.307 should be deleted.
- Believes EPA not fairly quoted Senator Muske and McClure. Need to look at full exchange. Visibility requests discussed in exchange between Muske and McClure is for all requirements not just BART.
- EPA wrongly quotes House Conference proposal rather than final report to support certain aspects of proposed regulations.
- BART determinations are State determinations.

Wilderness Workshop of Colorado, IV-D-137

Support integral vistas concept.

Request oil shale retorts be added to the list of major stationary sources.

The regulations should be promulgated.

Opposes the 90-day limit in 51.302(c)(2)(i) and (ii) for FLM:

- Recommends automatic updates to the SIP's as land plans are completed.

Opposes provisions 41.304(d) and 51.307(h)(1)(i):

- These require identification of the integral vista prior to the calendar year in which a new source permit is filed. This would be best accomplished through land plan reviews.
- There should be no time constraints.

Recommend a change of 51.307:

- Approval of a new source permit must be contingent on no perceptible change in visibility and the FLM must agree before permit is granted.

BART reanalysis:

- Should be automatic and periodic.

Oregon Women for Agriculture, IV-D-138

Opposes restrictions on agricultural burning.

- Limiting burning or using other methods would increase cost per acre to grass seed industry.
- Annual field burning is of short duration.
- Regulation of field burning is unnecessary.

N.C. Dept. of Nat. Resources - Forest Res. Div., IV-D-139

Opposes any restriction on prescribed burning:

- Used for hazard reduction-control of wildfires.
- Economical means of controlling pine stands and preparing seedbeds prior to harvest.
- N.C. manages a voluntary smoke management program now.
- Burning only takes place under controlled conditions.

Citizen - Matovich, IV-D-140

Opposes regulation controlling prescribed burning.

Citizen - Leigh, IV-D-141

Supports the proposed regulations.

Citizen - Zimmerman, IV-D-142

Supports proposed regulations.

- More emphasis on monitoring.

Burlington Northern, IV-D-143

Opposes reference to the control of prescribed burning:

- Wildfire is part of natural background, and this is a substitute.
- If the regulation is adopted, then prescribed burning - smoke management programs should be considered BACT.

Opposes integral vistas concept:

- Extends Class I to non-federal lands.
- Creates adverse social and economic impacts to communities in the Pacific NW.

Requests non-federal land managers be included in coordination efforts:

- Non-federal land in west is intermingled ownership with federal lands where impact on Class I could occur.

Opposes modeling for visibility at this time:

- Models are not sophisticated methods for visibility at this time.

General support for other portions of regulations.

Citizen - Jacobson, IV-D-144

Supports regulations.

Citizen - Spell, IV-D-145

Supports regulations.

Supports integral vistas.

Citizen - Gregory, IV-D-146

Supports regulations.

Opposes the grandfather clause.

Citizen - Marion, IV-D-147

Supports regulations.

Opposed to 30-day comment period for FLM's on new sources:

- Should be one year.

Integral vistas - designation:

- Present proposals allow too much latitude to FLM's in designation.
- Criteria should be set.

Major source categories:

- Surface mining should be added.

Monitoring:

- Monitoring program should be required in more detail.

The role of FLM should be strengthened and clarified.

Citizen - Miller, IV-D-148

Supports regulations.

Should be guidance for enforcement of the regulations included.

Citizen - Berry, IV-D-149

Supports regulations.

Citizen - Kirk, IV-D-150

Supports regulations.

Citizen - Mr. and Mrs. Carl Henry, IV-D-151

Supports regulations.

Citizen - Barrie and Karren Mayes, IV-D-152

Supports regulations and shuttle buses at Yosemite.

Citizen - Peterson, IV-D-153

Supports regulations.

Citizen - Dahm, IV-D-154

Support regulations.

Phase II - EPA should specify a date.

National Rural Elec. Coop. Assoc., IV-D-155

Opposes regulations entirely:

- Based on increased cost of control.

Alfred V. J. Prather, Attorney, Kennecott Corporation, IV-D-156

Proposed visibility regulations go beyond scope of Clean Air Act.

- "Grandfather" exemption modified - exclusion of sources in operation prior to August 7, 1962, has been narrowed.
- Regulations conflict with Section 119 of the Act providing for nonferrous smelter orders (NSOs) by potentially requiring a smelter to add continuous control technology to reduce emissions of sulfur dioxide.

Opposes extension of visibility protection to include "integral vistas".

- EPA's report to Congress on "Protecting Visibility" dated October 1979 implied that copper smelters are one of the principal causes of reduced visibility and includes a map of areas within 60 miles of Class I areas which blankets the smelting industry.
- Inclusion of integral vistas expands sources subject to regulation in opposition to Alabama Power case.

Opposes extension of the powers and rights of federal land managers to include designation of the sources to be regulated and determination of BART for such sources.

- State's authority to determine BART should be recognized.

Citizen - Euston, IV-D-157

Supports regulations.

Chemical Manufacturers Association, IV-D-158

Opposes the concept of "integral vistas":

- Not authorized by the Act.
- Violates the statutory prohibition in Section 169A(e) of the Act.

Definitions are vague:

- Use of language "any humanly..." and "natural conditions" in the definition of "impairment" is vague.

BART

- Proposed methodology for BART does not consider the impacted source's knowledge of control and cost.

The regulations do not adequately consider mobile sources.

Colorado-Ute Electric Assoc., IV-D-159

Objects to the promulgation of regulations:

- EPA should request a 5 year extention from Congress.
- The regulations would impose too many financial burdens for BART.

Specific points were made against ICF guideline.

- These dealt with Colorado-Ute plants cited in the study.
- Cost estimates were low.
- One plant is more than 15 years old and should not be included.

Citizen - Ackert, IV-D-160

Supports regulations.

Request change - smelters:

- Regulations should be tighter for smelters.

Hunton & Williams, IV-D-161

- Concern over providing public an adequate opportunity to meaningfully review and comment on the proposed regulation. These steps include:
  1. (1) completion of necessary background work and preparation of the necessary guideline documents;
  2. (2) publication of a complete proposal package for the visibility regulations after these materials had been completed, included in the rulemaking docket, and incorporated into the proposal;
  3. (3) provision for an adequate period for the public to prepare initial comments on the completed proposal and background material;
  4. (4) an opportunity for public hearing after the date for filing initial comments;
  5. (5) a 30-day period for filing rebuttal and supplementary comments; and
  6. (6) extension of the date for final promulgation established by the EPA-FOE consent decree, if necessary.
- Agreed that certain actions taken by EPA are responsive to UARG's request but it is not possible to determine whether the amount of time is still adequate.
- Appears EPA is raising new issues in guideline documents especially presumption that BART equal NSPS for power plants.
- Other ways EPA has not adequately responded to the UARG. Not sure why different comment periods are necessary.
- Request public hearing be held after initial comments were filed. Schedule renders hearing ineffectual.
- Problems of schedules reflect the continuing inadequacy of EPA's initial proposal and EPA continuing failure to integrate in a meaningful fashion the new guideline documents and background material into original proposal.
- May ask District Court for a modification of rulemaking schedule.

Citizen - Newton, IV-D-162

Opposes restrictions on prescribed burning.

Governor - Wyoming, IV-D-163

Opposes future reclassification of Class I areas subject to same requirements as mandatory Class I areas:

- Future Class I areas will be reclassified by state.
- States should have option to impose the same or different requirements on future Class I areas.

Terms vague - "adverse impact" and "significant impairment".

- Since subjective - States' judgement should be mandatory.

Requirement in paragraph 51.302(a)(5) unclear:

- Consultation with the FLM is seen as a threat.
- Not consistent with the Act.

Opposes provisions of paragraph 51.302(c)(4)(ii):

- Final decision on BART should be State's responsibility.

Opposes provision of paragraph 51.307(g):

- When a dispute arises between State and FLM - permit is not issued until an EPA review. State should be the final authority.

Patricia M. Hanlon, Magma Copper Company, IV-D-164

EPA does not have the authority to extend BART requirements to sources other than "major stationary sources" as defined in 169A(g)(7).

Opposes the requirement to revise state implementation plans to protect "integral vistas".

EPA does not have the authority to require the states to impose retrofit technology on sources that have previously been subject to BART analyses.

- One determination of BART when state initiates SIP.

EPA may not require "major stationary sources" in operation before August 7, 1962, but "reconstructed" after that date to install BART.

- Magma Copper Company urges EPA to delete the words "or reconstructed after that date" from proposed 51.301(a) and to delete subsection (h) of proposed 51.301 in its entirety.

EPA may not require a state to apply the BART requirement to components of major stationary sources unless the component is itself a major stationary source as defined in 169A(g)(7) and meets the other tests of 169A for BART applicability.

Citizen - Joyce Vincent, IV-D-165

Supports regulations.

Superintendent-Grant County Schools, West Virginia, IV-D-166

Opposes regulations:

- Feels would have a direct economic effect on the area if local power plant were forced to bring in lower sulfur coal from another area.

Citizen - Pettit, IV-D-167

Support integral vistas concept:

Opposes 30-day provision for FLM permit review.

- Should be revised to 1 year.

A date for Phase II should be specified.

Guidelines on monitoring and modeling should be issued.

Citizen - Fletcher, IV-D-168

Supports regulations:

- Specifically as applies to smelters and power plants.
- Support integral vistas.

Request change in grandfather for smelters:

- Older smelters should be included.

Nevada Cattlemen's Association, IV-D-169

Opposes restrictions on prescribed burning:

- Should not require SIP revisions for smoke management techniques.
- Providing a process which would occur naturally.
- More selective release of emissions.

Bunker Hill, IV-D-170 and 170(a)

Opposes the Section 51.30(a) removal of reconstructed sources from the grandfather clause:

- The intent of Congress was to exempt all facilities in existence prior to August 7, 1962.

Opposes the integral vista provision:

- Has no basis in the Act.

Crown Zellerbach, IV-D-171

Designation of Class I areas:

- Congress did not intend for Department of Interior to select Class I areas, and EPA to "rubber stamp" the list.

Opposes the concept of 'integral vistas':

- Not part of Congressional intent.

Opposes the regulation of prescribed burning.

Included a copy of the American Paper Institute/National Forest Product Association statement at the EPA hearing on June 30, 1980. No summation of this was made since it is part of the hearing record for API/NFPA.

Scott Paper Company, IV-D-172

Has reservations concerning visibility regulations application on prescribed burning:

- Cost of timber production will increase.
- Productivity of forest lands will reduce.

Disapproves of state's proposed responsibility in carrying out visibility regulations:

- Says fiscally too expensive.

Overall costs out of proportion with potential benefits, so dislikes visibility regulations.

Schwabe, Williamson, Wyatt, Moore and Roberts, Oregon Seed Council, IV-D-173

Opposes the regulation of prescribed burning:

- Smoke management techniques are required in the long term strategy - this is not allowed for in the Act.
- The state cannot exclude prescribed burning from the long-term strategy.
- EPA has made no economic assessment of the proposed rules (burning).
- EPA has proposed rules without the completion of the Forest Service guidelines.
- Nine months for SIP development is inadequate.

Opposes the definition of Visibility Impairment:

- The use of "Humanly Perceptable" goes beyond the requirements in the Act. There is no justification for the inclusion of non-interfering visibility charges in the national goal.
- Congress was concerned only with visibility problems not with abstract humanly perceptible changes which do not interfere with the management, protection, preservation, or enjoyment of a mandatory Class I Federal area.

Opposes definition of "significant impairment":

- A new definition should include an exemption "for smaller isolated (major stationary) sources which make an insignificant contribution to visibility impairment".
- The definition for visibility impairment should be replaced with the "new" definition for significant impairment.

Opposes the regulation of integral vistas:

- Paragraph 169A prohibits the requirement of automatic buffer zones.
- What impact would the recognition of an integral vista have on a Class I, Class II, Class III or nonattainment area in which the vista is located? Would this require a SIP revision to protect the vista to Class I standards?
- EPA has "created an unprecidented and unsupported obligation for Congress in an effort to bolster the integral vista concept" by interpreting what the statute does not say.

IV-D-173 (continued)

Statement by the Oregon Seed Council

Opposes regulation of prescription burning:

- Grass seed is the major crop of the Willamette Valley. Field burning is used to reduce or eliminate disease and pests for optimum seed yield.
- Grass seed burning is conducted under the strictest smoke management program in the U.S.
- Total visibility impact along the Cascade range east of the Willamette Valley is estimated to be less than 50 hours each year.
- Further reduction of prescribed burning would have severe economic impact.
- Restricted field burning could increase fuel consumption for mechanical clearing and tilling up to 5,000,000 gallons of gasoline and diesel fuel per year.

Attached was an extensive report - "Final Report, Willamette Valley Field and Slash Burning Impact, Air Surveillance Network Data Evaluation, 1978" Vols. 1 and 2. Field Burning Report.

Also attached was "An Evaluation of Expected Private Losses from Selected Public Policies for Reducing Open Field Burning, Willamette Valley, Oregon".

No attempt was made to summarize either of these documents.

Kerr McGee Corp. IV-D-174

Opposes the integral vistas regs.

- Plain reading of the statute does not allow this interpretation.
- Cites the Congressional Record quote from Costle to support their argument.
- Recommends deletion of:

  51.301(m)
  51.302(b)(i)
  51.302(c)(2)
  51.304
  51.307(b) (should be rewritten - delte reference to integral vista)
  51.307(h)

Opposes requirement that each individual BART determination be included in SIP.

- This is not authorized by 119A.
- Not possible to require negotiation and BART determination within 9 months for each existing plant.
- Recommends new language for Section 51.302(c)(4)(i):

  (i) The plan shall contain a legally enforceable mechanism for requiring major sources identified according to procedures in subparagraph (ii) below to install and maintain BART controls as determined by the State.

Opposes Section 51.302(c)(4)(vi) requirement to install continuous emission monitoring.

- Claims monitors may be of little value in meeting visibility stds.
- Administrator overstated requirement for monitoring.

Opposes Section 51.303(c).

- Claims the Act §169A(c) was set up as an appeal mechanism from State decision, but the section 51.303(c) requires State concurrence on the granting of exceptions.

Opposes federal overview by EPA and the FLM's in BART analysis and determination.

- The States have primary responsibility for BART analysis and determination.

Kerr McGee Corp (continued), IV-D-174

- Specifically opposes language in:

  1) Section 51.302(c)(4)(ii) - consultation with FLM.
  2) Section 52.302(4)(ii).
  3) Section 51.302(c)(4)(ii) - consultation with FLM.

Opposes definition of federal land manager.

- The secretary of the affected department should decide who the "designated agent" shall be.
- Section 51.301(s) should be revised.

Opposes application of visibility regulation to new sources in nonattainment areas (Section 51.307).

- Claims that this is in defiance of the Alabama Power Co. vs. Costle decision.

Montana Power Co., IV-D-175

Opposes the Integral Vistas regulation.

- Not provided for in the Clean Air Act.

Opposes Section 51.304(f) for identification of integral vistas by FLM until December 31, 1985.

Opposes Section 51.304(d).

Commented on the fact that all studies and guideline documents were not in final form when regs proposed.

Opposes a case-by-case analysis for a new source without specific criteria set forth in advance.

- The process would be too subjective.

Opposes the participation of the FLM in decision-making in the new source review process.

- Comment: This type of federal regulation is confiscatory.

James B. Corlett, Oregon Forest Protection Association, IV-D-176

Opposes the regulation's application to prescribed burnings:

- Prescribed burnings for forest management is a necessity.
- Questions Congressional authority allows EPA to regulate prescribed burning.
- If venting smoke over Cascade Mountains Class I areas is unduly regulated, there is simply no place for it to go.

Opposes the proposal to regulate visibility of integral vistas as a form of buffer outside of Class I areas:

- Eliminates the entire Cascade Mountain range as a smoke venting area.

Definition of terms:

- Visibility impairment - natural conditions specification is unclear. What are the criteria establishing natural conditions?
  - disagree with seasonal best visibility as criteria representative of natural conditions. Result in abnormal and distorted judgement basis.
  - the frequency of occurrence and duration of all kinds of weather should be used to characterize natural conditions on a seasonal basis.
  - average day of a selected season superior representation of natural condition.
  - history of forest fires should be considered in determining constitution of natural conditions.
  - smoke from prescribed burnings impacts visibility less than uncontrolled wildfires.
- Integral Vistas - outside statutory authority of EPA:
  - proposed rulemaking inconsistent with Clean Air Act Section 169A which authorizes prevention in Class I areas.
  - does not serve best interests of citizens.

Oppose discretion of Federal Land Manager in designating integral vistas:

- No opportunity for public comment or remedy procedure.

Air Resources Board - State of California, IV-D-177

Clarify the definition of "Federal Class I Area".

- Does this definition include state and private lands redesignated by the state to Class I, and "federalized" by inclusion into the SIP?
- State should have the authority to designate Class I areas.

Integral vistas could encompass too large an area:

- Vast areas could be designated as an integral vista to a Class I area.
- This could be of major economic, social, and regulatory impact.

Opposes present language in paragraph 51.307(g):

- Final decision should rest with the state.

Opposes regulation of open burning by EPA regulations.

- The State of California feels their own regulations are adequate at present.

Comment: EPA should establish certification procedures for all visibility monitoring instruments.

Guidelines or regulations for visibility monitoring should be developed by a working group such as SAMWG.

Provision for monitoring equipment (purchased by the agency) should be borne by EPA.

The Colorado Mountain Club, IV-D-178.

Redefine "significant impairment" section:

- Phrase "in the judgement of the Administrator" should be left out. 51.301(l).
- Thinks federal land managers are too transient and too sympathetic towards commercial development thus should be included in regulations.

Expand concent of "integral vista" to include areas outside of Class I area:

- Views from places like the high plains add much to overall beauty of the mountains.
- Consider some mechanism for designating vistas outside of Class I areas.

Johnston, Concerned Citizen, IV-D-179

Supports visibility regulations in protecting wilderness and national parks:

- Noted past degradation in Grand Canyon.
- Noted degradation by copper smelter plumes in Chiricahaus.

Supports Federal Land Managers proposal:

- Have ability to review permits.

Supports active role by states in setting up definitive goals of visibility:

- Smelters should be controlled before 1987.

Pederson, Concerned Citizen, IV-D-180

Disapproves of the control of prescribed burns:

- Burns can only be made a few times a year.
- Controlling these burns would take away a valuable tool of Fire Managers.

Tucson Audubon Society, IV-D-181

Supports visibility regulations which will reduce emissions from power plants and copper smelters:

- Tourist business for bird watching will suffer.
- Areas such as Saguaro National Monument need to have improved visibility.

Southern Arizona Hiking Club, IV-D-182

Supports visibility regulations that protect Class I areas and integral vistas:

- industries (copper smelters) are endangering scenic views.

Supports state and agency cooperation in enforcement:

- Majority of citizens want clean air.
- People/groups using areas in question should be permitted to provide information on visibility degradation.

Supports role of Federal Land Manager

Supports the setting of definite visibility goals by the states.

Received and approved the document "Criteria of Identification of Integral Vistas".

Kirk Cunningham, Sierra Club, Rocky Mountain Chapter, IV-D-183

State does not have the staff, money, or will to control visibility and recommend EPA/Land Manager to enforce and make decisions concerning visibility.

Proposed regulations too vague, give too much discretion to the regulator, and too many loopholes to be regulated.

Responsibilities of Federal and State agencies are not clearly delineated.

Support 8/7/82 application of BART.

Definitions:

Fuel conversion plant - are oil shale and coal conversion considered plants? are 'in situ' oil shale or coal conversion considered a plant?
Visibility impairment - agree.
Natural conditions - agree.
Reasonably atributable - visual means method is weak. Modeling should be included in the definition.
Significant impairment - recommend using instrumentation in definition since visitors have no basis of comparison.
Colorado cannot meet 9-month deadline.

Questionable exercise of EPA authority to regulate interstate commerce of air pollution (51.302 Ca)(ii)(F).

Unclear - 51.305(a)

- Colorado will have difficulty anticipating monitoring research and base a program on this research.
- For BART analyses, available visibility data may include photographs.
- Identification of integral vistas is unclear and 51.304(d) may be a loophole for noncompliance.
- Recommend EPA fund state's plan preparations and assessment.
- Notification is too close to construction.
- Meaning of consultation (51.307(g)) unclear. Who makes the final decision? Recommend EPA/Land Manager.

Tennessee Wildlife Resources Agency, IV-D-184

Supports visibility regulations as understanding prescribed burning as a cost-effect land management technique.

- State wildlife agencies should be given opportunity to review any rules dealing with prescribed burning.
- Each state should establish its own set of rules regarding prescribed burning and visibility.

Clarification needed in 51.306(f)(5):

- Should be rewritten - "Smoke management techniques for agricultural, forest; and wildlife management purposes, and"

Idaho Veneer Company, IV-D-185

Opposes visibility regs. application to prescribed burning:

- Thinks forest management techniques will be severely inhibited.

Walker, Concerned Citizen, IV-D-186

Supports vis. regs. application towards integral vistas:

- As Class I areas, such as Chiricahuas, will be protected.
- American heritage will be preserved.

Supports monitoring requirements.

- Smelters should comply.

Supports role of Federal Land Manager in insuring visibility.

Jones, Concerned Citizen, IV-D-187

Provides exemplification for the "integral vistas" concept whereby the two Class I areas (Chiricahua Wilderness and Chiricahua Monument Wilderness) within vicinity of their residence have been affected by the Phelps Dodge Corporation's Douglas Reduction Works.

- Voiced that the Douglas smelter does not comply with all Clean Air Act regulations.

Feel that the federal land managers working for the U.S. Forest Service and the National Park Service should be more vocal in controlling the facility since their responsibility is the control and management of the Class I areas which are being affected.

Robert Harrison, Western Oil and Gas Association, IV-D-188

Support comments made by the American Petroleum Institute.

Oppose protection for integral vistas:

- Western states contain energy resources that would not be available under integral vistas.
- Results in serious economic harm to U.S.
- Oppose expansionist interpretation of Clean Air Act Section 169A that underlies integral vistas.
- Increased production of heavy oil in Kern County would be brought to a halt by unspecified new source permit requirements to prevent visibility impairment of vistas outside the Sequoia area.

Oppose Federal Land Managers authority to constrain activities outside their jurisdiction without energy and economic considerations.

Pardee, Concerned Citizen, IV-D-189

Cites exemplification of adverse impact of pollution to scenic vista surrounding the Painted Desert National Park, as well as to the Park itself.

- The Cholla Power Plant and its new sister, the Coronado facility, are the contributors.

Agrees with "integral vistas" concept:

- Clear skies, inherent of Western heritage, affect life styles and economics of area - tourist dollar.

Park superintendents must be given role to protect.

EPA should strengthen monitoring requirements and establish visibility requirements for these type areas.

Skinner, Concerned Citizen, IV-D-190

Supports proposed visibility regulations:

- Integral vistas policy is needed.
- Photographic monitoring of sources to insure compliance is needed.

Annerino, Concerned Citizen, IV-D-191

Supports proposed visibility regulations:

- Need to protect Class I areas.
- Need to improve integral vistas.
- Insure monitoring and enforcement.

R. E. Thomason, Occidental Oil Shale, Inc., IV-D-192

The technical basis for regulation is lacking:

- Visibility is not defined.
- Visibility impairment's relationship to visibility, visual range, coloration and contrast is not specified.
- Quantitative measurement method to determine a change in visual range, contrast, and coloration are not established.
- Background documents cited by EPA are not available to the public.
- Relationship between source emissions and remote visibility is not established.

Opposes establishing 'integral vistas':

- Leaves no discretion to states.
- Impinges on State's right to determine matters of land use.
- Federal Land Manager should not be given EXCLUSIVE discretion in designating integral vistas.

Oppose visibility monitoring requirement without designation of monitoring method.

Oppose final determinations on exemptions by Federal Land Manager.

Regulatory program should be limited to:

- Requiring the state to assess visibility impairment using specified analytical tools. Test for one year.
- Require the state to identify sources contributing to impairment and determine BACT using EPA modeling methods.
- New sources subject to BACT.
- Require state to receive and consider Land Manager's recommendations. State has final word.

Montana State Airshed Group, IV-D-193

Supports the phased approach of the proposed regulations.

The State should have primary responsibility for the program.

Opposes the regulation of prescribed burning:

- Congress did not intend to control prescribed burning.
- Smoke from forest burning is not a significant impairment in Class I areas.
- It is recommended that smoke management systems be classified as BACT.

The definition of baseline should include large amounts of wood smoke.

Nonfederal land managers should be included in the process of developing long-range strategy for visibility protection.

Comments on Smoke Management:

- Supports concept of developing national management guidelines.
- Guidelines must be flexible enough to adapt to each geographic area.
- Recommends no computer modeling for smoke management.

Supports the general concept of visibility regulations.

Department of Interior, IV-D-194

- Letter informing EPA that DOI commentors will be unable to respond by August 25, 1980. Comments are expected to be submitted by mid-September.

Wm. F. Chestnutt, Society of American Foresters, Alabama Chapter, IV-D-195

Oppose regulation's application to prescribed burnings:

- Prescribed burnings for range and forest management should be exempt.
- Prescribed burning is a safe and economical forest management practice.
- Research by U.S. Forest Service at Southern Forest Fire Laboratory in Macon, Georgia, indicates that prescribed fire in forest management results in a NET REDUCTION of smoke and particulate matter compared to a burn under wildfire conditions.
- Over extended period of time, smoke from forest fires is not a significant factor in visibility impairment.
- Fire is a non-point source when used in a prescribed form.

Oppose regional haze under jurisdiction of EPA.

No Oilport Inc., IV-D-196

Supports the proposed regulations:

- Agree with the fugitive emission control requirement.
- Agree with definition of visibility impairment, but the author feels there should be a baseline.
- Agree with integral vista.
- Agree with application of regulations to new sources.

Opposed to statement that water vapor plumes should not be considered plume blight.

Steel Barnett, Western Forestry and Conservation Association, IV-D-197

Opposes regulation's application to prescribed burning:

- Prescribed burning is an essential forest management tool that must be maintained.
- Important for wildlife preservation.
- Venting smoke over Cascade Mountains is unduly regulated, no place for smoke to go.
- Recommend that prescribed burning be exempted from visibility regulations.
- Prescribed burning preferred to air quality effects of wildfire.

Definition of terms:

- Visibility impairment - natural conditions speficiation is unclear. What are the criteria establishing natural conditions?
  - Disagree with seasonal best visibility as criteria representative of natural conditions. Result in abnormal and distorted judgement basis.
  - The frequency of occurrence and duration of all kinds of weather should be used to characterize natural conditions on a seasonal basis.
  - Average day of a selected season superior representation of natural conditions.
- Integral Vistas - outside statutory authority of EPA.
  - Proposed rulemaking inconsistent with Clean Air Act, Section 169A which authorizes prevention IN Class I areas.
  - Does not serve best interest of citizens.

Oppose discretion of Federal Land Manager in designating integral vistas:

- No opportunity for public comment or remedy procedure.

City of Colorado Springs, IV-D-198

Opposes integral vistas portion of regulations:

- Not intended by Congress. Quotes the Act, paragraph 196A(e) concerning no uniform buffer zones.
- In the State of Colorado there are 1.4 million (Class I) acres, and with integral vistas another 52 million acres will be affected.
- Would inhibit growth in Colorado.
- FLM have authority extending beyond federal lands under integral vistas.

Opposes participation of FLM in decision making process.

- Consultation over BART analysis.
- Consultation in designating a work practice or operational standard instead of BART.
- FLM consulted by state in setting up a visibility monitoring program in mandatory Federal Class I areas.

Monitoring is not yet adequate:

- Stay away from "intricate instrumentation or complex modeling".

James L. Wick; Silviculturist, Concerned Citizen, IV-D-199

Opposes regulations application to prescribed burning:

- Important forest management tool - prescribed burning.
- Smoke from prescribed fires is less than smoke from wildfires.
- Ash remaining from burning provides for nutrient recycling.
- Alternative methods to prescribed burning have a greater environmental impact.
- Smoke from prescribed burnings is a natural phenomena.

James L. Jones, Concerned Citizen, IV-D-200

- Prosperity of Arizona depends on the Clean Air Act.
- Air pollution is major consideration in locating in Arizona.

Richard L. Gilinski, Southwest Hawk Watch, IV-D-201

- Scenic areas need to be insured with stricter control on more obvious emission gases, i.e. copper smelting.
- Support tightening SO_2 pollution standards that are being sidestepped by implementing supplementary control systems and emitting large amounts of pollutants when meteorological conditions mask the act.
- Concerned about the effect of copper smelting on the unique raptor population in southeastern Arizona.

Noel S. Yoho, International Paper Company, IV-D-202

Opposes regulation's application to prescribed burning:

- EPA's regulation of prescribed burning is beyond the intent of Congress and the law.
- Inappropriate to regulated prescribed fire through visibility regulations.
- Reduced levels of prescribed burning result in a substantial net increase in particulate production from all forest fires ("Role of Smoke Management in Mitigating Air Quality Effects from Wildland Fires" by the Society of American Foresters.
- Wildfires result in exceeding particulate and safety standards.
- Reducing prescribed fire conflicts with land resource goals.
- Recommend deleting section 51.306(f)(5) in the final rules.

Boise Cascade Corporation, IV-D-203

Opposes regulation of prescription burning:

- Prescribed fire is not a major stationary source.
- Preferable to a wildfire, since it can be managed.

Opposes reanalysis requirement for SIP's:

- Constitute a moving target for industry.

Opposes integral vistas regulation:

- The Act does not provide for protection of vistas outside the Class I area.
- Because a plume is visible from the Class I area, does not mean the plume contributes to visibility impairment within the area.

Opposes the extensive latitude and authority granted the FLM's.

- The determination of visibility impairment should be kept to air experts.
- FLM should be advisory rather than decision making in this area.

Bill Prather, Colorado Cattlemen's Association, IV-D-204

Opposes the regulation's application to prescribed burnings:

- Smoke from prescribed burning should be considered part of the baseline or "natural" visibility impairment because it is a management tool in controlling the timing, duration, and impact of natural fires.
- Regulation should distinguish clearly between requirements applicable to prescription burning, and "major stationary sources" and "major emitting facilities".
- Regulation of smoke from prescription fires must be consistent with existing state and local smoke management programs. Visibility program should be coordinated with private land owners and federal and state agencies.
- Unnecessary regulation of prescribed burning could result in use of less desirable practices, such as chemical and mechanical methods of site preparation. These alternatives are not consistent with other EPA pollution control efforts.
- Stringent regulation of prescribed burnings in addition to other regulations may impose unnecessary hardships on ranching practices and force some ranchers out of business.

George Menper, Concerned Citizen, IV-D-205

Supports visibility protection regulations, especially protection of integral vistas.

- Cites personal experience of visibility impairment in a Class I area.
- Supports granting authority to local land managers.
- Recommends detailed monitoring program of other pollutants in addition to SO_2.
- Supports U.S. EPA's authority over states to assure strict adherence to the regulation.

Charles E. Bush, III, Continental Forest Industries, IV-D-206

Opposes the regulation's application to prescribed burnings:

- Smoke from prescribed burning should be considered part of the baseline of visibility impairment because it is a tool to control the timing, duration, and impact of naturally occuring fires. Prescribed fires in areas where the ecosystem is fire-dependent should also be considered part of the baseline.
- The Clean Air Act protects Class I areas from large, stationary emission sources. Prescribed burning should not be considered such a source.
- EPA regulations should be consistent with the objectives of current state and local smoke management programs.
- States which do not have air quality problems resulting from prescribed burning should not have to develop smoke management techniques.
- Unnecessary regulation of prescribed burning could result in greater use of alternative practices such as chemical and mechanical site preparation, which would be less desirable because of their effects on the environment.

Jack W. Raybourne, Commission of Game and Inland Fisheries,
Commonwealth of Virginia, IV-D-207

Opposes the regulation's application to prescribed burnings:

- Prescribed burning is an important management tool in improving wildlife habitat, preparation of sites for reforestation, and reduction of hazardous fuel accumulation.
- Prescribed burning should continue to be considered as a sound forest and wildlife management tool used both inside and outside of Class I areas.
- Prescribed burning is currently conducted under the regulations of the Virginia Air Pollution Control Board.

Joelle Reece, Utah Audubon Society, IV-D-208

Supports inclusion of Integral Vistas concept:

- Regulation necessary in Utah because of pressure to develop energy resources near Class I areas with panoramic vistas. Long term aesthetic gain must be protected from short term economic gain.

Supports flexibility given to states in developing regulatory strategy for State Implementation Plans.

- Provision to not require pollution abatement that would not improve visibility is reasonable, and economically advantageous.

Supports visibility protection in general:

- Support Phase I.
- Support enforcement and further development of regulations to identify and control non-point sources.

Department of Environmental Quality, IV-D-209
State of Oregon

Comment: Rules are very general and lacking in technical detail.

Guidelines issued by EPA should be used only as suggestions and not requirements.

- Strict adherence to guidelines should not be required.

States should have a substantial role in the final determination of integral vistas.

The time frame of nine months to analyze and schedule long range control strategies is inadequate.

Identification of sources which impact on visibility will be difficult.

- Monitoring and modeling tools for visibility are not well developed.

Prescribed burning should be considered in long-term control strategies.

- The amount of emphasis placed on this as a strategy element should depend on relative contribution.

Pacific Power and Light Company, IV-D-210

Comments on ICF Report.

- Questions the credibility of the ICF authors.
- Visual observations subjective.
- Predicted impacts for visual range are not accurate.
- The ICF report did not take into account factors on Mount Rainier: seasonal operations of Centralia Power Plant, seasonal meteorology, and seasonal visitor usage.
- The report did not accourt for natural visibility impairment.
- The report gives two conflicting values for blue-red ratio in two places in the report, and it also lists two conflicting values for visual range reduction at two places in the report.
- Challenges the modeling assumptions made on the impact analysis of Centralia on Mount Rainier. The impact from SO_2 would be less than the ICF model predicts.
- Atmospheric discoloration would be less significant than ICF states since the ozone level is very low.
- The cost of NO_x reduction would be 11 times that outlined in the ICF report.
- Cost of SO_2 control would be 60% higher than ICF estimated.
- The ICF report concludes that Dave Johnson Power Plant would reduce visual range at the Wind Cave National Park only a minimal amount. The power plant is 190 km distant on the east side of the Black Hills, but the park is on the west side of the mountain range. The prevailing winds do not cross the mountain range.

Definitions

- BART - should be revised to apply only to "each pollutant which may reasonably be anticipated to cause or contribute to an impairment of visibility".
- "Significant impairment" and "adverse impact" have almost the same definition. The reference to "interference with and impairment of the visitor's visual experience" should be deleted.

Opposes the concept of "integral vistas".

- Not the clean meaning of the Act.
- Paragraph 169A(e) of the Act prohibits an automatic buffer zone.

IV-D-210 continued

BART Determinations.

- The FLM is given too much authority; especially in determining what sources will be subject, and if the BART analysis is acceptable.
- The FLM should be required to render an opinion on exemption within a fixed number of days.

New Source Review

- The FLM is unnecessarily involved.

Friends of the Earth, IV-D-211

- Response to Council on Wage and Price Stability issue of whether FLM can or should take into account non-air quality factors such as energy and economics.
- FLM has affirmative responsibility to protect air quality values. No mention of non-air quality factors.
- Determination of BART requires non-air quality impact to be considered.
- Provisions of 165(d)(D) allows President to waive requirements in national interest. National interest includes economic and energy impacts.
- Clear State may use non-air quality considerations in determining whether or not a new source would adversely impact air quality related values but does not along such considerations by FLM.
- Regulations eliminate veto power given to FLM if source would violate Class I increment. Fails to require States to obtain FLM consent before issuing PSD permit. 51.307 should be revised to reflect FLM authority to deny permits and make it clear that States are prohibited from issuing permits without consent of FLM.
- Object to definitions of stationary source and existing major stationary source, especially any pollutant regulated under Act. Act defines "of any pollutant".
- Strongly support integral vistas.
- House Report mentions impact of Four Corners plants on Grand Canyon.
- Many references to scenic values associated with many parks.
- Act does not have to mention integral vistas for EPA to establish. Integral vistas are rationale tool to accomplish mandated goal of visibility protection.
- Integral vistas procedures need to be modified.
  - Designation is clearly responsibility of Secretary of Interior - cannot be rejected by States.
  - Must give FLM enough time to establish. Cannot establish integral vistas within 90 days. Should allow designation if State plans within 120 days.
  - NSR requirements should apply equally to integral vistas.

Eastman Kodak Company, Kingsport, Tennessee, IV-D-212

Comment on the language in Sections 51.300(a) and (b).

- Applicability, of the proposed regulations should be restricted to include only those Federal Class I areas where the Department of Interior has properly identified visibility as an important value.

Opposes definition of "visibility impairment".

- The author feels that "any humanly perceptible change" and the criteria of "contrast" lead to a qualitative judgement.
- The agency should establish measurable reduction in visual range and atmospheric discoloration.

Opposes the assertion that the regulations would be applicable to reviews of new sources located in non-attainment areas.

- Paragraph 169A is part of the PSD portion of the Clean Air Act and this does not apply to nonattainment areas.
- Paragraph 51.300(b) should be revised to exclude review of sources located in nonattainment areas.

Opposes definition of "reasonably attributable" as meaning "attributable by means of visual observation or other monitoring technique".

- There should be a demonstrated link between emissions from a source and visibility impairment prior to imposition of controls.
- Visual observation of a source concurrent with observed visual impairment is not sufficient without collaborative information.
- Included in any such demonstration (of visibility impairment) should be an analysis of mobile sources.

Richard Kamp, Concerned Citizen, IV-D-213

Supports inclusion of Integral Vistas concept:

- Integral vistas concept is necessary, but predicts there will be extensive legal disputes over the designation of areas as integral vistas.
- Integral vistas concept is consistent with Congress's goal to preserve air quality in Class I areas because of the mobility of airborne pollutants.
- Supports provision to allow federal land managers 30 days to identify additional integral vistas after being notified of a new source permit.

Supports phased approach to visibility protection:

- Protects the public against heavy visible pollution.
- Supplied photographs of low visibility during periods of loco ambient monitor readings, indicating a need to coordinate visibility to ambient monitoring of total emissions.
- Requests visibility protection for Class II areas.

Measurement of progress in visibility protection:

- Visibility conditions should be subject to an objective standard. Photographic monitoring is recommended over a three year period with periods of public comment. Author supplies a proposal for photodocumentation.

Cites non-ferrous smelters as a major cause of visibility impairment:

- States that a non-ferrous smelter order under Section 119 of the Clean Air Act is not an exemption from visibility regulations as pointed out at Salt Lake City public hearing by Kennecott Copper.
- States that smelters in southern Arizona alone emitted in 1979 what all the 4-corner states' power plants combined may emit in 1995.
- Disagreed with statement made at Salt Lake City hearing that the public does not care about individual plumes and is concerned about regional haze and urban smog. Was concerned about the significant visual impact of smelter plumes.

David E. Pesonen, Director, California Dept. of Forestry
IV-D-214

Opposes the regulations due to adverse impact on prescribed fires as a forest and range management tool.

Specific Comments:

51.300

- A goal requires a good faith effort but may not be realistic to achieve.

51.301

- The term "visibility impairment" should be deleted.
- In determining "significant impairment" the role of the Federal Land Manager versus the state is unclear. Can Federal Land Manager be overruled by the state?
- Integral vistas should not include areas outside of Class I areas, should require that view be related to the Fundamental purpose for which the area was established, the term "reasonably attributable" needs further definition.
- Adverse impace - definition should be revised to be consistent with "visibility impairment" and the role of the Federal Land Manager.

51.302

- Subsection (b)(ii)(3) should describe acceptable consultation procedures.
- Integral vistas should not be protected to the same extent as mandatory Class I areas.
- Protection of integral vistas may restrict the use of prescribed burning and thus "adversely affect" the best land management practices of the state.
- 90-day period for identification of visibility impairments is insufficient. Recommend a minimum of one year.

51.305

- EPA should promulgate a national visibility monitoring guideline under Section 319 of the Clean Air Act.

IV-D-214 continued

51.306

- Recommend changing the long-term strategy review and revision to not less than five years.

51.307

- A bridge is not provided between new source reviews and the prevention of significant depreciation (PSD) rule. Priority should be to first prevent problems where visibility is good, then make reasonable progress to improve visibility where "significantly impaired".

Polly Dyer, Olympic Park Associates, IV-D-215

Supports inclusion of Integral Vistas concept:

- Recommends extending the integral vistas concept to include protection of views of areas inside Class I areas so they will not be marred or obscured by human-caused air pollution from outside vista points beyond the boundaries of Class I areas.
- Cites specific, potential problems from industrial growth near Olympic National Park.

States should not determine visibility impairment in Class I areas:

- Superintendents of Federal Mandatory Areas should have the ultimate authority to determine when integral vistas are subject to visibility degradation from air pollution sources.
- Protecting public's rights to clean view of Class I areas is a federal responsibility rather than a state responsibility.

Federal Land Manager's authority in New Source Review is too limited:

- Federal Land Manager acts only as a consultant under Section 51.307 of the regulation, thereby undermining the land manager's responsibility.

Recommends identification of visibility by advanced methods by inaugurating Phase II guidelines within the current rules.

Recommends EPA and National Park Service initiate proposed legislation to extend air pollution controls affecting Class I areas to include effects from acid rain and other pollutants.

Gordon Tate, Idaho State Grange, IV-D-216

Opposes the regulation's application to prescribed burning:

- Prescribed burnings are essential to some agricultural and forestry operations.
- Burning of grain crop stubble can be avoided in practically every instance.

Authority to protect visibility should be granted to states and local governments rather than the Federal government.

Robert R. Scott, South Carolina Forestry Association, IV-D-217

Opposes the regulation's application to prescribed burnings:

- Prescribed burning is a significant forest management tool.
- Alternatives to prescribed burning (mechanical and chemical methods) involve high costs or risk.
- A voluntary program, the Smoke Management Guidelines for South Carolina, exists to minimize particulate concentrations, and smoke in smoke-sensitive areas resulting from prescribed burning operations.
- A regulatory program to restrict prescribed burning should be a last resort, upon failure of a voluntary program.
- Recommends that EPA carefully consider programs which will encourage or discourage private investment in timberlands, especially in view of the need for alternative energy sources.

North Dakota, Governor Janklow, IV-D-218

Concerned about visibility monitoring.

- Visual observation is highly subjective.
- Will instrumentation be available in the near future?
- Will the states and FLM's be responsible for monitoring?

Does EPA propose to establish a national visibility standard?

- If so, who would be responsible for enforcement?

Opposes regulation of integral vistas:

- Paragraph 169A was intended to protect visibility within Federal Class I areas.
- If implemented, the states should participate in the selection of integral vistas.

Too much final authority is being granted to the FLM and EPA.

- The states should be given more authority.
- EPA has veto power over a state determination of an individual source.
- Will sanctions be threatened if the SIP is not approved.
- What options do states have regarding SIP approval?

Comment on ICF Report:

- How will this report affect new sources.
- What about long-range transport.
- How is one to determine cause of haze.

Kaiser Refractories, IV-D-219

Believe the proposed regulations should not be promulgated:

- Oppose BART, since it would impose an unknown economic burden from continually upgrading emission control equipment.
- Oppose concept of "integral vistas". This would establish federal land managers an authority over lands they are not strictly authorized to regulate. Preclude siting of future major facilities from most places in the western U.S.
- Definition of "visibility impairment" is vague and an objective method for determining visibility impairment is needed. Baseline visibility in most areas is not known and therefore impairment of such is impossible to define.

Environmental Research and Technology, Inc., IV-D-220 (ERT)

Comments on the ICF Report.

- The cost analysis was based on a draft ERT report, and was not accurate.
- The ERT screening curves in the ICF Report were to be applied to NEDS data base for broad, general industrial categories. These should not be used for any specific sources.
- All reference to specific sources in ICF's cost analysis report should be deleted.
- A presentation should refer only to the number and industrial classification of sources found to have potential for visibility impairment.

Todd M. Stamm, Departments of Planning, Zoning, and Building, Latah County, Idaho, IV-D-221

Supports visibility protection regulations:

- Local governments should work with the enforcing agency to control pollution at the source.
- The Idaho Association of Counties has encouraged counties to avoid the intent of the Federal Land Policy and Management Act of 1976 by including industrial designated sites and standards of air quality acceptable for those sites in their land-use plans. Latah County does not support the Association's recommendation.

Gerald Chadock, South Branch Vocational Center, IV-D-222

Opposes the visibility protection regulations:

- Personal observation of a Class I area for 21 years has not noted any change in the visibility.
- Costs of control and regulation greatly exceed the benefits derived from protection of visibility.
- Strict enforcement of regulations results in use of less favorable alternatives as in the case of prescribed burning versus chemical or mechanical methods of land management.

Robert M. Brantly, Florida Game and Fresh Water Fish Commission, IV-D-223

Opposes the regulation's application to prescribed burning:

- Prescribed burning is a proven technique in habitat management for numerous species of wildlife in Florida and a good method of reducing fuel prior to the occurrence of wildfires. Alternatives to prescribed burning (chemical and mechanical methods) are not economically or environmentally attractive.
- The incidences of wildfire contributions to visibility inpairment should be included in the National and regional "baseline".
- EPA's guidelines for prescribed burning techniques which limit its effect on visibility should be flexible and adaptable to the circumstances occurring in the individual states.

Opposes the inclusion of Integral Vistas concept:

- States that there are other remedies under the Clean Air Act which can be used to protect the vistas if necessary.

Lester Carr, Jr., County Commission of Grant County, West Virginia, IV-D-224

Opposes visibility protection regulations as written because of the cost/benefit relationship:

- Stated that proposed regulations should be modified to reflect the realities of the overall costs to society at large weighed against the minimal benefits of visibility improvement of Class I areas.
- Cited specific costs from a Grant County power plant which burns local coal and the economic impact of visibility protection regulations on citizens of the Grant County area.

International Paper Company, IV-D-225

Language is vague and confusing:

- Support the general idea, but disagree with the strict definition of "visibility impairment". Impairment implies deterioration while the wording specifies only that a "change" be perceived. "Change" in the definition should be specified as meaning a decrease in perceived visibility.
- How will an individual judge that visibility has been impaired and at the same time know what the visibility would be in the absence of man-made pollution?

Problems will occur in identifying the contribution of a source or multiple sources to regional haze. Monitor data will be sketchy in that, long-term measurements are for the most part not available in Class I locations. Identification of impairment will be by guess. Promulgation of regulation should await development of adequate methodology for obtaining data.

Concept of integral vistas was not intent of Congress.

Models currently available for single sources are unvalidated and should not be used to predict reasonable improvement in visibility from application of a control technology.

Kane County Commission, Kanab, Utah, IV-D-226

Opposes the proposed regulations in general:

- Proposal time for comments was too short.
- Proposed regulations were not distributed to enough people.

Opposes the concept of integral vistas.

Too much authority has been given to the FLM.

There were an inadequate number of public hearings.

Laurence R. John, Wildlife Management Institute, IV-D-227

Opposes the regulation's application to prescribed burnings:

- Prescribed burning is important in forest, range and marsh management.
- Request a positive, permissive approach to prescribed burning in the smoke management guidelines.
- Flexibility in the national guidelines is necessary to permit prescriptions to be fitted to local situations.

H. Ramos, Concerned Citizen, IV-D-228

Supports visibility protection

- States that mining companies should not be given time extentions to correct infractions of air pollution regulations.

American Mining Congress, IV-D-229

Opposes the integral vistas concept.

- Paragraph 169A of the Act refers to "visibility in" not "visibility from".
- Protection of visibility in a Class I area will provide some protection of visibility surrounding the Class I area, but that is not mandated by the Act.
- Plain language in the act clearly states "visibility in".
- Since the Act is not ambiguous, it is not necessary to resort to legislative history.
- The author cites examples of legislative history from the House to support his contention.

Opposes the definition of "Federal Land Manager" in paragraph 51.301(s).

- Language used "or their designated agents" is not consistent with Section 302 of the Act.
- The definition in the proposed regulations seeks to expand the term Federal Land Manager to include designated agents. This was not the intent of Congress.

Monitoring requirements should be established by States.

- Paragraph 169A of the Act does not refer to any requirement for continuous monitoring and does not specifically require EPA to mandate continuous monitoring with respect to BACT.
- It is up to the state whether or not continuous monitoring should be mandated.

BART determinations should be left to States.

- Section 169A clearly delegates authority for BART determination and identification of sources subject to BART to the States.
- There is no authority for the provision in Section 51.302(c)(4)(ii) relating to consultation between EPA, FLM, and the State.

New source review should not be included in this rulemaking.

- Since Section 169A is silent with respect to new sources, they are not to be covered in this section of the Act.
- The author cites legislative history to support the new source review for visibility impairment takes place under PSD.

IV-D-229 continued

Opposes State concurrences for exemptions.

- Congress did not require concurrence of the states in the statute. The fact it is silent on the subject indicates it was not intended.
- In addition, since a state may adopt more stringent requirements (pursuant to paragraph 116), an EPA exemption does not mean the state cannot still require BART for a source.

Opposes the definition of "existing major source".

- The proposed regulations in Section 51.01(a) defines a "existing major source" as a source which was not in operation prior to August 7, 1962 or reconstructed after that date. It is the "reconstruction" language that AMC opposes.
- The reference to a reconstructed source was not in the Act.

EPA should recognize the Visibility Modeling Limitations.

- Modeling with respect to visibility impairment is in the early stages of development.
- The limitations of modeling should be recognized in the regulations.
- BART will be costly to companies, but without modeling it will be difficult to predict the effectiveness.
- Without visibility modeling it will be difficult if not impossible to demonstrate no impact from new sources.
- EPA should modify the regulation requirements to allow an adequate period to develop meaningful rules.

Wayne O. Ursenbach, University of Utah Research Institute, IV-D-230

Language is vague or confusing:

- "Baseline visibility" and "significant impairment" are not sufficiently defined or definable in the rules.
- Provides experimental data and experimental method for determining visibility and concludes that no one method will be satisfactory for the measurement of visual range on the reliable estimate of visibility impairment.
- Recommends "baseline" average visibility for Class I areas in the arid and semiarid western United States be established at no more than 72 miles with an uncertainty of 10%.
- Recommends "significant impairment" be defined at no less than 10% of the average baseline visual range since nothing less will result in any noticeable change in visibility. This is consistent with the EPA position which defines impairment as any perceptible (by human observation) change.
- Recommends visual range be modeled with a simple equation such as:

$$L_{vr} = \frac{24.2}{0.006M + 0.15} \text{ miles,}$$

where M = the measured TSP in $\mu g/m^3$

- Recommends impairment due to long range transport of particulates over several hundred miles especially sulfate from distant large urban and industrial centers, be clearly defined and experimentally determined before BACT or other control requirements beyond PSD procedures are imposed on point sources.

Opposes inclusion of Integral Vistas concept:

- Long range transport of particulates from natural causes and from distant urban and industrial centers will sufficiently impact integral vistas and nullify any benefit from the unduly restrictive requirement.

Joan Werner, Concerned Citizen, IV-D-231

Supports inclusion of the integral vistas concept:

- Aesthetics viewed from Class I areas have been impaired in some locations.
- Federal Land Manager is best qualified to determine need for visibility protection and should be granted authority in visibility regulations.

Supports regulation of smelters:

- Requests that old smelters as well as new smelters be stringently controlled.

Herb Crase, North Carolina Department of Natural Resources and Community Development, IV-D-232

Opposes the regulation's application to prescribed burnings:

- Prescribed burning is the best available method of forest management and is important in reforestation.

David W. Levy, Concerned Citizen, IV-D-233

Supports inclusion of Integral Vistas concept:

- Protection of integral vistas is mandated by Congress in the Clean Air Act.
- Special protection is required of all Class I areas by the Prevention of Significant Deterioration Program and of the visibility near all Class I areas by the visibility prevention and remedy program.

Supports protection of visibility in Class I areas in general:

- Protection of visibility is important to North Carolina because a significant portion of the economy of North Carolina is dependent on tourism.
- Industrialization near Class I areas is a threat in North Carolina.

Recommends additions to the proposed regulations:

- PSD review procedure should be applied to new sources to assess their impact on visibility.
- A clear method must be established for the Federal Land Managers to assess the impact of a new source on visibility.
- EPA must have a stated method for reviewing Federal Land Managers' comments and weighing them in the permit decision process.

Betty Denison, Oregon Women for Timber, IV-D-234

Requests that EPA assess the social costs of administering the visibility requirements and bring them to the attention of Congress before implementing them:

- States that visibility protection of Class I areas contradicts the first purpose of the Clean Air Act to "promote...welfare, and productive capacity" of the Nation's population.
- Cost of pollution controls and their economic impact on the general population outweigh the benefits of the enjoyment of a Class I area view.

Opposes the inclusion of the Integral Vistas concept:

- Questions public commenting method in regard to integral vistas. States that a few voices from the "public" do not represent majority need.

Opposes the regulation's application to prescribed burnings:

- Prescribed burning is a sound ecological tool.
- Fire should be defined as a natural activity even when man-prescribed and 51.306(f)5 should be omitted.

Opposes phased approach of the regulation:

- Discriminates against single sources and fails to note that few single sources represent single individuals; i.e., single source regulation impacts a large number of people.
- Discriminates against special interest groups directly dependent on the single sources.

Society of American Foresters, IV-D-235

Opposes the regulation's application to prescribed burning:

- Specific reference is inappropriate and Section 51.306(f)(5) should be deleted for lack of sufficient legislative basis.
- Focus is properly on major stationary sources, both existing (BART) and new source reviews (NSR), and should clearly state no application to prescribed burning.

Favors the phased approach to a visibility regulation program.

Favors EPA's request that the USDA Forest Service in cooperation with land management and air regulatory agencies, prepare guidelines for management of smoke from prescribed fires.

- Guidelines should not dictate rigid, national requirements.

C. M. Williams, Brown Company, IV-D-236

Opposes inclusion of Integral Vistas concept:

- Brown Company is located near a Class I area, and states that there can be no significant detrimental effect on the visual enjoyment of the vistas from the Class I area resulting from a vapor plume eleven miles away which evaporates or dissipates within a few hundred feet of the emission point.
- In the case of companies such as Brown Company, which have recently complied with PSD requirements, normal retirement and replacement of the existing facilities should be recognized by EPA. It is unreasonable to subject facilities to additional regulatory requirements.

Louis H. Camisa, Hiwassee Land Company, IV-D-237

Opposes the regulation's application to prescribed burnings:

- Prescribed burning is necessary to reduce fuel and thereby prevent uncontrollable wildfire. Therefore, the smoke associated with the prescription fire minimized air degradation compared to a wildfire.
- Recommends that EPA include smoke from historical wildfires as part of the "baseline".
- Recommends regulations distinguish between major stationary emitting sources and prescribed burning.
- Recommends that States be given authority to assess air quality and develop specific smoke management plans if needed.
- Federal programs for smoke management for Class I areas must be consistent with existing state programs for smoke management, water quality, and pesticide use.

Robert List, State of Nevada, IV-D-238

Suggests need for guidelines to determine BART.

Opposes additional power given to Federal Land Manager in determining BART and selecting sources to be regulated.

Suggests research into visibility monitoring and modeling of complex mechanisms of pollutant transport and complex terrain problems.

Virginia Manufacturers Association, IV-D-239

Oppose inclusion of "integral vistas" concept:

- Development of new industries and the operation and expansion of existing industries would be severely restricted under this proposal.
- Industries within the integral vista which meet all air pollution regulations but identified as contributing to visibility deterioration, would be forced to continually install new control equipment as new technology evolves (BART), and could not predict future environmental expenditures.
- Proposed regulation goes beyond Congressional intent.

Federal land managers' findings shoudl be subject to review by the State agency responsible for administering the Clean Air Act and PSD requirements.

Other sources than stationary (i.e. automobiles, natural sources, etc.) can be much more significant to visibility impairment.

Suggest that proposed regulations be considered more thorough with regard to economic impact (jobs) vs. air quality benefit. Recommend that several years of study should be undertaken before these regulations be adopted.

Ted J. Doney, Montana Department of Natural Fesources and Conservation, IV-D-240

DNRC favors a State-centered approach to visibility protection with the States retaining the primary responsibility for development of the program. EPA should avoid promulgating detailed rules that would apply to the nation as a whole since visibility impairment is a function of local meteorological conditions, topography, and plant communities.

Suggests a stronger statement concerning prescribed fire for forest management purposes.

The DNRC maintains that under the definition of "visibility impairment", smoke from prescribed burning should not be classified as a visibility impairment since it exists under natural conditions.

Questions legality of protecting integral vistas.

- Class I air standards are extended into non-federal lands.

Monitoring should be a shared responsibility of federal land managers and the States and EPA should develop guidelines for monitoring system development.

Montana encourages the participation of non-federal land managers in the development of the visibility program.

Department is concerned with national scope of proposed guidelines and recommends that computer modeling not be considered as national answer to managing smoke from prescribed fire.

The Standard Oil Company, IV-D-241

SOHIO participated in the preparation of comments submitted by the American Petroleum Institute.

Feels that the 9 month period allowed for the development of SIP revision for protection of visibility is inadequate to achieve the General Plan Requirements described in Section 51.302(c).

- Ways in which pollutant emissions affect visibility are poorly understood.
- Acceptable methods for monitoring visibility have not been established.
- Phase I should serve as the time needed for development of monitoring and analytical techniques, and data collection. A limited number of sources using BART could serve as a testing ground.

Supports the need for greater research prior to promulgating the proposed regulations:

- Supports EPA's decision to defer emphasis on use of modeling until later phases.
- Case-by-case analysis of BART.
- Improvement in monitoring techniques and a well-defined method for judging visibility impairments are needed prior to promulgation.
- Effects of natural conditions on visibility will need to be defined also.

The need to protect visibility should be balanced with the need to accomplish other national and regional goals, namely the development of valuable new resources (new source review).

Disagree with concept of "integral vistas", in that the same extent of protection need not be applied to the vista as to the Class I area.

U. S. Department of Commerce, IV-D-242

Opposes the definition of adverse impact:

- "Visual experience" or "impairment of the visitor's visual experience" are completely subjective and will create unnecessary problems.
- The terms above should be deleted from the definition.

Comment on reanalysis:

- The effect of these reviews could be early obsolescence of pollution control equipment - which might yield only marginal improvement in Class I area visibility.
- EPA should include the age and control effectiveness of existing control equipment as a variable in the re-analysis of control options.

Comment on fugative emissions:

- EPA proposes to take into account fugative emissions, if quantifiable, in determining a major source. However, it is not specified what approach EPA "would recommend if the emissions from a source were almost entirely uncontrollable fugative emissions (e.g., from a large lime quarry or an open pit mine)."
- Further clarification is needed.

Support the draft version of the Regulatory Analysis Review Group's report:

- Specifically the recommendation that decisions as to appropriate control technology for BART be based on a comparison to visibility benefits and costs.

American Petroleum Institute, IV-D-243

Comments on Visibility Definitions:

- The proposed definition cannot be scientifically supported.
- Opposes the term "human perceptions".
- Suggests language "man-caused change in atmospheric optical properties (including visual range and atmospheric discoloration) which appreciably reduced public enjoyment of the scenic quality of vistas".
- Opposes the terms "management", "protection", and "preservation" in the definition of "adverse impact".
- Opposes the terms above in the definition of "significant impairment".

Opposes the concept of "integral vistas":

- These were not analyzed in the ICF report.
- An assessment of the economic impact of this part of the regulations should be carried out.
- If an area is designated, it should go through a rigorous screening process first.

Comments or monitoring and modeling:

- The SIP requirements and "interim guidance monitoring" should include scenic quality, visual range, and atmospheric color.
- "Interim guidance monitoring" needs more specific information about concentration data.
- Models for visibility are not accurate at present time.

Supports the phased approach.

SIP revisions in nine months is not practical.

BART should be on a case by case basis.

Comments on new source review:

- Present new source regulations protect visibility.
- Technical problems (measurement and monitoring of visibility) are not sufficiently resolved to warrant new source review.

A copy of comments sent to EPA on August 10, 1979 on the draft "Visibility Report to Congress" was attached.

- No attempt to summarize this was made.

IV-D-243 continued

Comments on "Interim Guidance for Visibility Monitoring":

- Does not discuss drawbacks for visibility monitoring.
- Give information about air quality only at sample point.
- Did not discuss possible impact in non-ideal situations.
- Fails to provide guidance on visibility assessment for new source review.

Comments on "User's Manual for the Plume Visibility Model (PLUVUE)."

- Down plays possible errors - Gaussian dispersion models.
- Does not discuss problems with variation in temperal background.

Comments on "Preliminary Assessment of Economic Impact of Visibility Regulations."

- This report was for Phase I large sources only, but this was not clear.
- No "integral vistas" impacting sources were analyzed.
- No new sources were projected.
- The ERT screening curves should be explained in terms of plume direction.

Comments on "Workbook for Estimating Visibility Impairment".

- Title is misleading since it is for new or modified sources.
- The recommended modeling scheme has some basic inaccuracies.
- The workbook makes too many assumptions dealing with plume color and plume and sky/terrain contrast parameters.
- Extends calculations beyond the validated distances.
- Uncertainty of SO_x and NO_x reactions are not accounted for.

A copy of the Final Report - "Relationships Between Air Quality and Human Perception of Scenic Areas", No. 4323, July 15, 1980, API was attached.

- No attempt was made to summarize this report.

Department of Energy, IV-D-244

- Regulations have been improved substantially since the first draft. However, areas exist which would restrict energy development unnecessarily.
- Protecting visibility should not be pursued to the exclusion of national energy objectives. Balance of energy and environmental values.
- "Visibility impairment" when used in regulatory context implies a significant adverse effect relating to prevailing visibility conditions. Concerned over EPA's present definition.
- Concerned over EPA's interpretation of NSR procedures as it addresses "adverse effects". Excludes value balancing and requires visibility impact estimate to be compared to "natural conditions" more stringent than required of non-PSD sources.
- Clarify responsibilities of state and EPA in NRS process where state has not assumed PSD program.
- Recommends against integral vistas. However, FLM should present vistas for state consideration.
- Concerned over high level of uncertainty with respect to retrofit of emission controls. This could impede energy development.
- Need to address in impact assessment the impact on siting of major new energy development projects. Concerned with mining operations located miles away from Class I areas being restricted if located near integral vistas.
- Issue of fugitive dust is very important. Individual plant sizes for oil shale, coal conversion, etc. may be limited by Phase I regulations.
- Uncertainty over regulations may cause energy developers to delay decisions of vital importance. This uncertainty is highlighted by potential Phase II requirements which are essentially unknown at this time.

Specific comments on Preamble:

- Program overview should discuss visibility from natural sources.
- States should retain primary responsibility to develop program.
- Agrees that if no emission control will improve visibility then BART is unnecessary.
- Not clear what other measures can be used to reasonably attribute sources to visibility impairment.
- Approved visibility model should be available if modeling is to be used to assess visibility improvement.
- No procedures have been developed to incorporate model predictions into predictions of the duration, frequency and time of occurrence.

IV-D-244 continued

- Concerned over reanalysis for BART - "moving target". Resolve by stipulating a maximum dollars/ton of pollution figure on any future retrofit requirement.
- NSR procedures seem to exclude considerations of costs, energy and other requirements. Since regional haze are sometimes manmade and can cover broad areas, it may be economically or technically infeasible to eliminate visibility impairment in Phase II, thus reasonable progress rather than an absolute no impairment of park visitor enjoyment appears prudent in both Phase I and Phase II.
- Control costs vary between Economic Impact and BART guidelines.
- Energy costs associated with BART are quite large.
- Resolve definition of potential to emit to eliminate ambiguity.
- Definition of natural conditions is unacceptable to DOE. Natural conditions should not be the baseline for new source visibility impact estimation. EPA method of estimation is quite questionable.
- Section 51.302(c)(4)(ii) unnecessarily complicates BART procedure.
- Providing December 31, 1985 for identifying integral vistas provides substantial uncertainty. Deadline should be advanced.
- Cost of monitoring in all Class I areas in 36 states quite expensive.
- Require FLM to have a conference with state where he rejects a permittee's demonstration or drop the state's requirement for a conference if state rejects FLM's demonstration.
- Oil shale development could be severely restricted under proposed regulations.
- Agrees with phased approach.
- Wide range of visual range and contrast changes that are capable of being perceived by human observer. Perceptible range between 3 and 25 median of 10 contrast to 5 in proposal.
- Onsite monitoring for determining natural conditions quite expensive $100,000 per source.
- EPA's interpretation of how to handle NSR is not outside that allowed by the Statute but believe that there is a range of options for dealing with NSR in the statutes and EPA should explain the alternatives and explain why they selected one of the alternatives.

Zerick, Concerned Citizen, IV-D-245

Strongly in support of proposed visibility program.

Arkansas Forestry Commission, IV-D-246

Opposes the regulation's application to prescribed burning:

- Restricting use of controlled fire to protect pristine air qualities will result in use of alternate methodologies which are more costly and capable of greater damage from pollution to the air, soil and water.

Public Utility District No. 1 of Douglas County, IV-D-247

Oppose regulations since they would jeopardize every development in the West and result in higher costs of operating existing facilities (power plants) passed on to consumers.

Feel there is an inadequate scientific foundation.

Believe a comprehensive reappriasal should be made of proposed visibility impairment rule.

Robert R. Reid, Jr., 1500 Brown-Marx Building, Birmingham, Alabama, IV-D-248

General Comment:

Urge strenuously that EPA adopt strong visibility regulations for air quality in our national parks and wilderness areas.

Specific Comments:

- There is a strong need for protecting all areas that are integral to our national park and wilderness assets even though outside their actual boundaries.
- Urge EPA to use current monitoring and tracing techniques to cover not only single visible sources but also the broader creation of overall haze.
- Federal Land Managers should play a major role in determining adverse impacts.

If the land manager of a park or wilderness determines that a source will have an adverse impact, the burden of proof should be placed on the proponent of the outside development to show that such adverse impact would not occur.

Santa Fe Research Corporation, IV-D-249

Opposes the definition of "significant impairment" or "adverse impairment".

Questions whether structure of regulations will be appropriate when their scope is expanded to include regional haze in future phases.

- Structure of regulations is built around SIP process. Regional haze will involve addressing a multi-state phenomena.

Patricia Byrne, 9318 Country Club Drive, Sun City, Arizona 85373,
IV-D-250

General Comment:

Supports full enforcement of the visibility requirements of the Clean Air Act of 1977.

Rick Breault, 8846 S. Albany, Evergreen Park, Ill., IV-D-251

General Comment:

Supports the regulations.

Specific Comments:

- The regulations should be expanded to cover the areas outside the parks that are visible from within the parks.
- Since the National Park Service and other Federal land agencies should be in charge of this land, it is only right that they have a more clearly defined and aggressive role in implementing visibility protection regulations.
- The EPA should utilize some of the more sophisticated techniques in its regulatory program now and specify when the more comprehensive second phase of the regulations will begin.

U. S. Department of Agriculture, Forest Service, IV-D-252

Requests a 30-day extension of the August 25 deadline for comments.

- It is impractical to review and comment on more than 1000 pages of guideline text within the required time frame.
- Comments should be allowed up to September 24.
- Requested additional copies of the guidelines.

Kay Wicker, Concerned Citizen, IV-D-253

Supports visibility protection:

- Protection of visibility is necessary to prevent environmental deterioration.
- Protection of integral vistas is necessary.

National Association of Manufacturers, IV-D-254

Opposes proposed visibility rulemaking:

- Goes far beyond intent of Congress.
- Too many variables involved of such a subjective nature.
- Industrial development would be discouraged within miles of Class I areas.
- Urges that a new proposed rulemaking be formulated that would reflect a balanced concern for industrial development, and be based on objective scientific foundations to provide a framework of certainty in protecting visibility inside Class I areas.

Florida Power & Light Company, IV-D-255

Comments on BART

- The BART guidance document in effect requires NSPS (Subpart 1)a) for power plants - this is unwarranted and not always possible.
- The BART guidelines do not address oil fired units.
- BART guidelines should be revised.
- BART guidelines provide no guidelines for assessment of a coal-oil mixture (COM) fired unit. FP&L is testing such a firing system.
- BART guidelines do not specify how visual observation is used to determine which stationary sources are "reasonably attibutable" to visibility impairment.
- Nine month time frame for SIP and BART is too short.

Visibility impairment is reversible, and is aesthetic rather than a threat to public health.

Opposes the comcept of "integral vistas".

- Was not intended by Congress and is not authorized by the Act.

Long term strategy (10-15 years) cannot be developed by a state within none months.

Opposes the reanalysis provision for BART.

- This would require numerous retrofits of control equipment.
- The cost of continual retrofits would be very high.
- Consider deleting paragraph 51.306(e).

Opposes the role played by the FLM.

- FLM may identify a visibility impairment which results in a BART analysis. The FLM may also recommend sources (suspected) for BART analysis.
- The FLM has a primary role in identifying integral vistas.
- The points above were not prescribed in the Act, but the FLM was to have an advisory position.

Commonwealth of Virginia, State Air Pollution Control Board, IV-D-256

Disagrees with EPA's interpretation of Section 169A of CAA on concept of integral vistas. Protection is to be considered only in the mandatory Class I Federal Areas.

- Protection within the integral vista should not be to the same extent as that for the Federal Class I area.

Questions how observed visibility impairment will be attributed to specific sources (except in obvious cases involving clearly visible plumes).

- What technique will be used to distinguish impairment due to natural causes from that due to human activity.

Questions how emission reductions achieved by BART will translate to visibility improvement.

Although the CAA provides that BART determinations will be made by the state, the EPA proposed guidelines for determining BART leave little for the states to determine.

Language is confusing, e.g. in the definition of the term "statutory source" and "in existence", etc.

It appears to this state that considerable expense and labor would have to be shouldered by the state.

Texas Eastern Transmission Corp., IV-D-257

Opposes regulations in that there is no need to "develop regulations that are subjective and lacking in scientific support."

Language is vague or confusing:

- Particularly noted by TETC is the definition of "visibility impairment". Recommended is that the definition be expanded to include the term "significant or adverse" and to delete the limited definitions of "significant impairment" and "adverse impact".

"Visual observation and other monitoring techniques need to be defined more specifically, as well as that for determining background visibility.

Opposes the inclusion of the Federal Land Manager in the process of determining the application of BART to specific sources. This deletes responsibility away from States.

Object to the continual reanalysis of BART. Recommend that after initial application of BART, an existing source should be grandfathered for at least ten years.

Object to the exclusion of the cost considerations in the New Source Review process (Section 51.307), as well as current modeling practices. Recommend costs be considered as well as the use of existing PSD increments for Class I areas as a decision-making technique until visibility models are validated.

Oppose the concept of "integral vistas".

- Identification of integral vistas would essentially preclude future industrial growth in West.

Jacksonville Electric Authority, IV-D-258

Opposes the definition of visibility impairment.

- A technical specification for "humanly perceptible" is needed.
- A method for determining what are "natural conditions" is needed.
- A reference method for determining background is needed.

Opposes the concept of "integral vistas".

- Section 51.304 has exceeded the intent of Congress.
- There is no mention of integral vistas in the Act.
- Paragraph 169(e) states "not require...automatic or uniform buffer zone or zones".

EPA has extended the responsibilities of the FLM beyond what was intended in the Act.

- It is doubtful the FLM has the staff (meteorologists and technicians) to perform these responsibilities.
- These responsibilities would require additional expenditures for personnel to assume duplicative responsibilities.
- This appears to reduce the states' authority.
- EPA should only require the FLM to assume responsibilities as assigned in the Act.

A uniform distance (maximum) at which sources would be considered for BART should be the current method of assessing point source visibility impact.

- Current methods of evaluating visibility are not adequate.
- Models are not yet validated.

Comment on the ICF Report:

- The report estimated that JEA's Northside plant would exceed a 13% visual range which might be required for the Okefenokee Wilderness Area.
- The modeling was based on 1.4% sulfur fuel oil burned at the Northside plant. The reduction to 1.3% sulfur oil to achieve the 13% threshold would entail minimal cost.
- However, Northside actually burns 1.8% sulfur fuel oil. The cost to reduce this to 1.3% would be significant. The company estimates six to seven million dollars per year added cost.
- JEA feels this would be an excessive cost.
- JEA feels there is erroneous data and questionable modeling techniques.

Additional research is needed.

Annette M. Petrie, Illinois Institute of Natural Resources, IV-D-259

Supports the regulation:

- Protection of integral vistas is consistent with purpose of park and wilderness areas.
- Recommended prompt implementation of Phase II of regulation.

Role of Federal Land Managers and National Park Service:

- The role of these agencies in implementing protection for their own Class I areas is not sufficiently defined.
- Time alloted to agencies to assess the impact of new sources on visibility is insufficient.

Shell Oil Company, IV-D-260

Visibility impairment is not well defined scientifically:

- Human observations are subjective.
- Present instrumentation does not always relate to human perception of visibility.
- Modeling techniques are not yet verified.
- EPA should limit its present rulemaking to existing sources that can be identified by visual observation to contribute to "significant visibility impairment".

"Significant impairment" and "adverse impact" have almost the same definition:

- This is confusing and duplicates meanings.
- The only real difference is in paragraph 51.301(1) - "in the judgement of the Administrator".
- The term "visibility impairment" is more applicable than "adverse impact".
- The inclusion of the words "management, protection and preservation" in the definition of "significant impairment" is greater than Congressional intent.
- Recommended definition of "significant impairment": "any man-caused change in atmospheric optical properties (including visual range, contrast, and atmospheric discoloration) which appreciably reduces public enjoyment of the scenic qualities of a federally designated Class I area".

Opposes the concept of "integral vistas".

- Unwarranted and unjustified expansion of Congressional intent.
- Other programs - PSD, NSPS, and SIP, should be sufficient to protect visibility of integral vistas.
- This will foreclose major areas of the U.S. to major energy and mineral resource development.
- EPA should conduct an economic impact analysis.

EPA has shown indifference to public comments.

- EPA did not state the comments would be considered in rulemaking.
- Comments were to be made to a docket no.; not an individual.

General Electric, IV-D-261

EPA should reschedule Final Rulemaking for November 15, 1985.

- Follow a UARG proposed study.
- Studies include: (1) time needed to allow full consideration of findings of visibility research, (2) scientific basis for understanding the causes and effects of visibility impairment, (3) increased informational data base for weighing costs and benefits of BART, and (4) time to allow for development of models and other methods of measurement and prediction.

GE proposes long term (10-15 years) milestone dates:

- Promulgation of guidelines in November, 1985. Setting forth a five-year mechanism for resolving scientific uncertainties.
- Promulgation in November, 1985 of guidelines for states.
- November, 1986 for revision of SIP's.
- May, 1987 - EPA complete review and approval of SIP's.
- May, 1992, implementation of program addressing major sources and new sources.
- May, 1995, attain reasonable progress toward long-term objectives.

- The court ordered date of November 15, 1980 will be met by promulgation of this schedule.
- The intent of the Act was the establishment of a 10-15 strategy.

Sources subject to New Source Review should not be later subject to changing BART requirements.

Opposes the integral vista concept:

- The act prohibits EPA from creating protective buffer zones.
- The net effect is to enlarge the boundries of mandatory Class I Federal areas beyond those agreed to by Congress.

Comments on newly classified Class I areas, those identified after Section 51.302(b)(1).

- Subsequent Class I areas should not be afforded visibility protection from existing sources, unless a major modification is made that directly affects the Class I area.

Opposes reanalysis of BART determinations (Sec. 51.306).

- BART reanalysis should be performed only if there is no current technology available at the time of initial determination.

IV-D-261 continued

- Section 51.306(d) and 51.306(e) should explicitly prohibit BART analysis for a controlled pollutant.
- To do otherwise would leave the major source owners in a climate of uncertainty.
- BART should be determined and implemented only when a particular control technology at a specific source will control a demonstrated visibility impairment.

The State, not the FLM, should select sources for BART review.

- The analysis should be made by EPA and States, not the FLM.

Opposes certain definitions:

- "Visibility impairment" is too vague and variable. Dependent on human perception.
- "Natural Conditions" - vaguely defined, transitory, purely subjective baseline. Who is the one to "expect" conditions to occur? It will be up to the FLM. What does the absence of man mean?
- "Potential to emit" - should be consistent with the PSD regulations.
- "Integral vista" - should be deleted.

Opposes Section 51.303(c):

- States remote from a source have veto power of exemption for an existing source.
- Concurrence from a state is not required for an exemption.
- A state with no Class I area could exercise control over new sources if long range transport were involved.
- States should not have control over sources in other states.

GE requests the comment period be reopened if substantive changes are made to the draft guidelines.

Draft guidelines should be presented in final form with an opportunity for public comment before promulgation of the regulations.

Utah International, Inc., IV-D-262

Oppose concept of "integral vistas":

- Inclusion of such will jeopardize new industrial (energy) development in the West and resultingly increase cost of operating existing facilities.
- Disagree that integral vistas will not be identified carelessly. Also object to allowance of a five year period to identify additional vistas.
- Definition of "adverse impact" is too subjective as is the determination of an integral vista. Authority of Federal Land Manager in this decision-making process goes beyond Congressional intent. Identification of vistas should not be made solely by federal agencies but by Congress or if EPA insists on this authority, then it should be subjected to a formal rulemaking process (i.e. for each individual vista). Furthermore, the potential economic impact that each integral vista could have should subject the identification process to a regulatory analysis as required by Executive Order 12044.

WEST Assoc. (Western Energy Supply & Transmission), IV-D-263

Discussion of Visibility Monitoring Considerations from the Interim Guidance for Visibility Monitoring:

- Definition of visibility - vague, overbroad and imprecise. Does not account for: differing human perceptions; fluctuating properties in the atmosphere; varying natural conditions such as seasons and weather; differences among target objects; imprecisions inherent in measuring instruments; and the relative contributions of man-caused and natural sources of emissions that affect visibility and its impairment. This definition is related (in the guideline) to regional haze - in contridiction to the proposed rules where localized visibility considerations (plumes) are of primary concern.
- Measuring and Quantifying Visibility - EPA recommends using a fixed point electronic telephotometer to measure visibility. This is for only measuring at a fixed point, based upon certain assumptions.

  Using a scanning telephotometer to measure plume appearance will not yield useful information. Such an instrument has not been adequately developed or tested.

  The guideline fails to provide for adequate measurement and quantification.

  Other methods should be used - photographs to measure such as visual range. Photography can a) provide a permanent visual record, conducive to excellent quality control, can be used for measurements at different wavelengths, and can be used to augment other measurements.
- Source/Impairment Relationship - The guideline recommends collection of particulate matter and meteorology data for determining visibility impairment. WEST contends that the relationship between these data bases has not been developed to the point of relating them back to a specific source.

  It is impossible to identify specific sources by analyzing them either chemically or by particle shape.

  The guideline recommends using surface meteorological data to identify sources contributing to impairment. Surface meteorological data are only indicators.

Discussion of Visibility Modeling Consideration from "Workbook for Estimating Visibility Impairment" and the "User's Manual for the Plume Visibility Model (PLUVUE)".

- Modeling procedures fail to account for transport and diffusion, atmospheric chemistry, optics and coloration.
- The first two levels of screening are too simplistic to yield meaningful visibility judgements. The third level - computer modeling contains incorrect assumptions.

IV-D-263 continued

- Transport and Diffusion - The computer model uses a Gaussian diffusion model. This is unsuitable to complex terrain such as found in the West. Further it cannot be applied to long distance, e.g., 50 kilometers or more.
- Atmospheric Chemistry - Component assumes conversion of nitric oxide to nitrogen dioxide and nitrates and sulfur dioxide into sulfates. It ignores the complexity of these reactions. Further, it does not address the contribution of reactive hydrocarbons. It does not account for atmospheric moisture, aging of the plume parcel, hydroxyl radical distribution, history of UV radiation or the variability of ozone.
- Optics and Atmospheric Particles - The model does not account for multiple scattering and diffused radiation in the atmosphere.
- Coloration and Perception - Model assigns a precise numerical value to coloration - which is subjective. The model assumes color value will remain constant in the atmosphere. Certain parameters of visibility impairment are not properly established. The model will produce inaccurate and improper visibility predictions.
- Other Infirmities - 1) The model assumes the plumes will travel in a straight horizontal line. In fact this rarely occurs. 2) The current model does not use a sufficient data base for atmospheric stability, mixing depth, etc. 3) Model uses only methological data in the immediate vicinity of source. 4) The model's baseline values such as visual range are based on urban area data and therefore bear no relationship to the remote federal areas. 5) The model is based on the Mie scattering theory. There is no research to test this theory in this application. This will yield inaccurate results.
- In its present form, the model guideline cannot and should not be used.

Discussion of BART considerations from the "Proposed Guidelines for Determining Best Available Retrofit Technology for Coal-fired Power Plants and Other Major Stationary Sources".

- Contridictions/Case-By-Case Determinations. The language that "BART for the majority of power plants... is (NSPS)". - Subpart Da. This specifically contravenes the language found in Section 169A(g)(2) of the Act. It clearly conflicts with the definition in the proposed regulations.

IV-D-263 continued

- The emissions limitations are supposed to be set on a case-by-case basis. EPA has failed to provide for demonstration that BART is both technologically and economically justified. EPA has also failed to provide the required guidance under NSPS for equipment that meets a sliding scale emissions limit based on sulfur content of the coal burned.

WEST believes this is in need of revision.

- Generalities/Control Strategies. The guideline is not specific with regard to control equipment and types of sources. For example, the guideline ignores design parameters for ESP's on utility boilers.
- Costs - A comparison of the Pullman-Kellogg study to the cost analysis by ICF for the Mohave plant indicate a large discrepancy in the cost estimates. This needs to be resolved in the cost estimate guideline.

WEST is stating that any application of BART at this time to protect visibility is premature. They feel any cost, at this time, is excessive and there is no demonstration that expenditures for a strategy will measurably improve visibility at a site.

Even if BART were possible, it would not be possible to perform an analysis in nine months.

Discussion of Procedural Considerations:

- The notice requesting comments on four technical documents totaling more than 750 pages was published on July 23, 1980. Comments were due on August 25, 1980, leaving only 23 business days to receive the notice, read the documents, prepare and submit comments to the docket and prepare testimony for a public hearing to be held the same day as the comments were due.
- The Notice of Guideline Availability was signed by Asst. Admin. Hawkins on June 18, but not published until more than a month later.

Conclusion:

- The four guidelines are technically and scientifically inadequate.
- The multi-year approach should be taken to avoid costly consequences, without visibility benefits.

Allegheny Power Service Corp., IV-D-264

The three companies of the Allegheny Power System, being members of the Utility Air Regulation Group (UARG), adopt and incorporate the views expressed by UARG which were previously submitted on the proposed rulemaking. These views will not be repeated here in these comments.

Comments here are primarily directed toward the document "Preliminary Assessment of Economic Impacts of Visibility Regulations (Draft)," which was relied on for background to the proposed regulations:

- It is submitted that EPA's reliance on the Draft Report as now constituted is in error.
- It is requested that EPA disavow and revise certain of the Draft Report's statements and conclusions concerning visibility impairment as being speculation and unsubstantiated.

Weyerhaeuser Company, IV-D-265

These comments supplement others submitted earlier by Neyerhaeuser.

Commend EPA upon realizing that prescribed burning is an important tool to the forest landowners for successful forest management.

Opposes the concept of "integral vistas".

- EPA does not have the legal jurisdiction to force the federal land manager to assume jurisdiction over lands outside of the Class I area.
- Development within "buffer zone" is at the whim of the federal land manager. Similarly with regard to retrofit procedure at a facility.
- Not Congressional intent.
- Illegal transfer of responsibility from state to federal.
- Protection to a Class I area should be done by adequate public input (hearings, connect periods and results from public determinations) instead of according to federal whims.

Disagree with BART program, concerning replacement of control equipment at facilities which may already be in compliance with SIP, as well as continual replacement of equipment as new technology emerges.

No identification of visibility values in Class I areas was demanded of the Department of the Interior along with their (Dept. of the Interior) suggestion of areas needing visibility protection.

Object to federal land manager (who is lacking in all around expertise) having lead position in determination of new sources. That is, opportunity to make a subjective judgement on PSD permit issuance, especially since little or no appeal procedure is available within regulation to override his decision.

Definitions within regulation are vague:

- "Potential to emit" - attempts to include fugitive emissions, in contrast to that stated in Alabama Power.
- "Visibility impairment" - should include such modifiers as "significant" or "adverse".

Question how natural visibility conditions will be established and how man's contributions will be separated from such.

- Believe wildfire smoke should be included in background visibility impairment.

Measuring and monitoring of impairment will be difficult to correlate with human perceptions.

Seems that reasonable further progress is being made by prescribed burning, as well as when NSPS is applied to a new source. These two areas should either be deleted or addressed in later phases of program.

States should be allowed for more than 9 months time to include visibility protection within SIP, since technology for measuring and monitoring are uncertain.

Phase I should allow states to carefully review and plan steps to address any major problems to visibility in their SIP revision.

Oppose the unfairness imposed on a few point sources, i.e. the burden of solving visibility problems when the greatest impact goes ignored.

Rio Blanco Oil Shale Company, IV-D-266

Agrees generally with the logic concerning integral vistas, but disagrees with the aspect that the authority has been granted to the Federal Land Manager to add to the list until December 31, 1980.

- A lengthy period allowing additional new vistas to be continually added is unfair and unwarranted. They should be immediately identifiable.
- If carried to extremes, the integral vistas concept could prohibit development in the West.

Experience in visibility monitoring leads RBOSC to know the difficulty which will be involved in determining the unambiguous visibility baseline, let alone detect an impact due to a source.

Applauds the decision by EPA to use air quality models only as an "input in the decision-making process".

Approve of EPA's choice on a phased approach in promulgating the regulations. It is better to develop regulations that have considered the socio-economic costs associated with such actions.

Salt River Project, IV-D-267

Opposes the definition of "visibility impairment":

- "visibility" as it is used in the regulations is too subjective.

FLM should not identify the visibility impairment:

- Specifically requires EPA to provide guidelines.
- States must identify.

Proposed rule is "arbitrary, capricious, and an abuse of discretion, or otherwise not in accordance with the law".

- Not understand what causes visibility degradation.
- Basic concepts need to be reevaluated for technical relevance.

Background documents do not fulfill intended role - providing comprehensive guidance to states.

Due process necessitates delay of proposed rules until challenges of Section 120 penalties is settled.

Congress did not have Constitutional authority to enact esthetic legislation.

Effect of Section 120 - Noncompliance penalties.

- Utilities may comply with unfair rule rather than face possible Section 120 penalties.

Managed agricultural/forestry burning should be treated as point sources in most cases.

- They are individually ignited and controlled and can be modeled.

The primary responsibility for implementation of the visibility program should not be shared between the States and FLM, but should rest with the State.

A copy of the comments to the ANPR were included. These were not summarized since they referred specifically to the ANPR.

Comments on "BART Guidelines":

- It would be desirable to assess visibility improvements corresponding to BART.
- Cost of replacement power for a derated boiler to reduce NO_x has to be evaluated.

- Statement on ESP efficiency may not be accurate.
- Questioning statements on lime/limestone scrubbing - availability, reliability, and efficiency.
- Monitoring - section is vague.
- Serious concerns about cost model.
- Baghouses may not be able to maintain continuous operation on utility boilers.
- Technical errors in section on ESP's.
- There are seven other technical comments, highly specific within the document.

Comments on the VISTTA study:

- Nitric oxide (NO) was mistakenly identified as Nitrous Oxide (N_2O).
- The natural sources in the Southwest have been ignored by the rulemaking, e.g. dust storms.
- "Carbonaceous material" referred to was soot.

EPA has changed direction from Congressional intent in the Act.

- Congress intended regional visibility protection.
- EPA has concentrated on localized visibility impairment - plume blight.
- No scientific guidance is provided concerning the cause of plume blight and regional haze.

Causes of visibility impairment:

- Nitrous oxide is primary cause of plume blight.
- Effect from particulate matter other than sulfate and nitrate.

Comments on "EPA Report to Congress"

Methodology Used for Assessment:

- Modeling technique is still developmental stage.
- Have not been able to decide on a method for measuring impairment.
- Report does not provide a baseline definition.

A page-by-page critique follows. No attempt to summarize this has been made.

Modeling is deficient for regulatory use.

Opposes phased approach:

- Will not overcome limitations of modeling in complex terrain.
- Regulatory action employing modeling should not be taken.

Opposes FLM role in identification of visibility impairment.

- The Act does not delegate responsibility to FLM.
- Usurped the states authority by EPA and gave to FLM.

Opposes concept of "integral vista":

- Beyond intent of Congress.

Opposes FLM identifying major stationary source causing visibility impairment:

- In excess of the Agency's authority to delegate that function.
- FLM does not have the technical capability.
- Visual observation is the only valid method.

FLM in consultation with state on BART:

- Why?
- Not in the Act.

Definition of "significant impairment":

- Cannot be a simple subjective determination.
- "Significant" must be quantified.

BART reanalysis:

- Was not the intent of Congress.

Long Term Strategy:

- Congress did not intend for State to consult with FLM.

Reference to "...in a Federal Class I area...":

- Section 165 refers to all Class I areas.
- EPA force Section 169A visibility requirements for Section 165 circumstances except for where there is no FLM.

Opposes definition of "major source":

- Not realistic.

Confusion over term "secondary emissions" and "secondary pollutants":

- Clarify or use other form.

Comment on definition of "visibility impairment":

- It is incomplete.
- Should be changed: "visibility impairment" means any humanly perceptible reduction in visibility or visual range to a prominent landmark along a sensitive atmosphere along such a sight path".

"Natural Conditions" - opposes.

- Impossible to measure.
- Should substitute "conditions other than those resulting from manmade pollution".

Comment on definition of "significant impairment":

- Already quantified in "visibility impairment".
- Should be deleted.

Comment on definition of "integral vista":

- Not relevant.
- Exceeds Congressionally delegated authority.
- Might be called a "visibility sensitive vista".
- The term panorama should be deleted.
- Reference to visitor experience should be deleted.

Comment on definition of "reasonably attributable":

- "Other monitoring technique" must be qualified.
- Suggest "other proven equivalent monitoring technique".

Comment on definition of "adverse impact":

- Same as comment on "significant impairment".

Comments on "integral vistas":

- Should address only the vista not the entire area.
- FLM should not identify vista - not authorized by Congress.
- FLM should not have 30 days - should be treated as citizen.
- New source permit applications should not trigger I.D. of new integral vistas.

Opposes FLM role in exemption process.

- Veto power.

Opposes periodic review and update.

- Congress intended one update in 10-15 years.

Comments on "Modeling Guideline".

- Concerned with long range transport - Model doesn't work.
- Atmospheric Chemistry - inadequate.
- Optics - decrease accuracy.
- Model unverified.
- Use of Gaussian plume models over 50 km is inappropriate.
- Other detailed comments concerning treatment of the model were made, but not summarized.

Comments on ICF Report:

- Failed to use valid screening techniques. The ERT screening curves are still draft and not intended for this application.
- Cost estimates are surprisingly low on an industry-wide basis.
- ICF failed to mention further effects of higher utility rates.
- Questions the approaches taken by ICF on NO_x reduction.
- Cited only studies by B&W on low NO_x burners - does not apply to other manufacturers of boilers.
- Not possible to predict the effect of combined NO_x control techniques on NO_x emissions.
- Report relies on NEDS data which is not accurate.
- Specific comments dealing point by point with the report were made. No attempt to summarize these had been made.

A copy of the letter from Horton and Williams to Douglas Costle, June 25, 1980 was enclosed. This was the request for rulemaking change and submitted separately, so no attempt was made to summarize it with this submittal.

Sunoco Energy Development Company, IV-D-268

Comments filed by the National Coal Association detail the several specific issues of concern to Sunedco. The NCA submittal represents their views.

Disagree with concpet of "integral vistas". Feel that this aspect could develop into legal problems. "Integral vista" would result in the taking of private property for public use without just compensation.

Disagree about the process of integral vista identification by Federal Land Managers. Final determinations will have to be subjective and open to dispute.

The integral vista concept will adversely lock up millions of acres of land having great potential for energy resource development.

P. H. Klein, Burlington Industries, Inc., IV-D-269

Questions the cost/benefit relationship of the regulations:

- BART could result in repeated retrofits as control technology improves. These retrofits are costly and generally result in minimal improvement.
- Influence of Federal Land Manager is too great as stated in the regulations. This adds to industry's cost in the PSD review process.
- Recommend delay of issuance of regulations until cost/ benefit relationship is conscientiously addressed.

Questions EPA's infringing on State's rights in administering programs:

- Recommend delay of issuance of regulations until State's rights question is addressed.

Joe Venishnick, L. D. McFarland Co., IV-D-270

Opposes inclusion of Integral Vistas concept:

- Visibility regulations should be limited to visibility impairment within Class I areas as this is the intent of Congress.
- Supports visibility protection with limited restriction on industrial and forest management practices.

Opposes the regulation's application to prescribed burning:

- Questions EPA's authority to regulate prescribed burning outside of Class I areas.
- Smoke from prescribed burning for the purpose of restoring, maintaining, or improving natural ecosystems should be considered part of the baseline or "natural" visibility impairment.
- States should determine whether additional smoke management techniques for prescribed burning is necessary.
- Objectives of visibility program should be viewed in light of other desirable environmental objectives - aesthetics of forested areas, maintenance of wildlife habitat.
- Regulations on prescribed burning should be postponed until after Phase I of the visibility program.
- Evaluate alternatives to prescribed burning - use of chemical or mechanical scarification for site preparation in terms of cost and time effectiveness.

Hunton & Williams, IV-D-271

- Comments on proposed regulations only.
- Filing comments one, three and four in August 22 letter. Comment two will be filed on August 25. These comments (#2) deal with guideline documents, UARG's understanding of original proposal as influenced by the guideline documents and the implications of other material in the record for these guideline documents.
- Agrees with four conclusions that have guided EPA in defining the general outline of proposal:

  First, that only those existing facilities to which visibility impairment can be reasonably attributed should be regulated for visibility purposes;

  Second, that visual observation is the most reliable technique for linking a facility with impairment, since other visibility monitoring and modeling techniques remain early in their development;

  Third, that even if a facility can be reliably linked with an impairment by visual observation, there remains no basis for regulation unless it is also possible to define the relationship between emission reductions, on the one hand, and improvements in visibility, on the other; and

  Fourth, that in determining whether emission controls are appropriate, their costs and benefits must be identified and taken into account.

  However, specifics of EPA's proposal are flawed because they ignore four basic constraints:

  First, limitations inherent in the congressional design for visibility protection;

  Second, constraints imposed by the primitive state of the visibility art;

  Third, constraints resulting from gaps in the existing rulemaking record; and

  Fourth, limits on the number of regulatory steps that actually can be taken during any nine month period.

- Congress recognized several things.
  - impairment is reversible.
  - visibility is an aesthetic value
  - costs and benefits be identified.
  - if techniques to assess are unavailable then protection programs cannot be fully defined.

IV-D-271 continued

- Unlawful interjection of FLM.
- Regulations fail to specify in developing long term strategies, that states need only consider regulation of significant impairments in visibility.
- Integral vistas are not authorized.
- Once a source under NSR receives PSD permit, further controls from a visibility protection viewpoint are not called for.
- Long term strategies call for BART reanalysis and imposition of controls on PSD sources, source exerpt from BART etc. This goes against congressional intent.
- Guidance on visibility assessment is grossly inadequate.
- Gaps in record which leave much of EPA's proposal unsupported.
- These deficiencies in proposal include:

  EPA's proposed guidelines for BART assessments do not define (a) how visibility impairment is to be attributed to specific existing sources or (b) the analyses for determining what BART ought to be and for rebutting the Agency's presumption that BART equals revised NSPS.

  That presumption, in turn, has no factual basis in this record or the NSPS rulemaking record.

  No long-term strategy guidelines have been issued.

  No new source review guidelines have been issued.

  The guidelines for visibility monitoring and modeling are incomplete and rely on unvalidated techniques.

  And, the regulatory analysis for the proposal is grossly incomplete.

- No way state can accomplish in 9 months all that EPA's proposal insists must be accomplished. These include:

  Listing of "integral" vistas and attribution of visibility impairment to its sources;

  Then, preparation of exemption applications by affected sources;

  To be followed by the conduct of EPA proceedings on such applications, including public hearings;

  And ultimately for those sources not exempted, determination by the states of the best available retrofit technology to protect visibility, including another round of public hearings preceded by 60 days notice.

- A realistic proposal can be shaped given the above noted deficiencies.

  1. Obligate the Agency to develop as rapidly as is feasible the data necessary to prepare scientifically sound guideline documents; and
  2. Direct the states to:
     a. Adopt procedures to implement the separate visibility programs of Section 169A and of PSD on a reasonable schedule after EPA proposes and promulgates scientifically sound guidance documents;
     b. Develop the long-term data bases necessary to characterize realistically the causes of visibility impairment and the effects of controlling them; and
     c. Formulate long-term strategies for visibility protection under Section 169A.

- Some impairment is inevitable and acceptable.
- House Report talks about drastic interference in connection with visibility.
- House version wanted maximum feasible process. Conference report reduced to reasonable progress.
- Statutes make clear visibility is to be protected if benefits outweigh the costs. Section 169(A) supports these statements.
- Impairment should deal with intensity, duration, frequency, time and extent.
- Need to develop visibility objectives.
- Definition of visibility impairment and contract and natural conditions. Neither is appropriate. Congress didn't give EPA the latitude to include contrast which is far more vague than range and discoloration.
- Impairment should be measured not against natural conditions but against background conditions produced by people whose enjoyment and welfare Section 169A was enacted.
- Regulations hopple state initiative by defining BART vs NSPS by excessively interjecting the FLM into state decisionmaking.
- There are 22 interjections of FLM into State decisionmaking. It would be less cumbersome had EPA simply proposed that the FLM go ahead and make visibility decisions subject to EPA ratification.
- FLM role is set out and limited in 169(A)(a)(2), (c)(3) and (d) as well as 164(b)(1)(B).
- EPA should prune involvement of FLM in accord with Act.
- Revised BART guidelines indicate that "BART for the majority of power plants...is NSPS". This presumption discourages case-by-case assessment. EPA has not supported this presumption.

IV-D-271 continued

- States in developing long-term strategies should not be required to address insignificant impairments.
- Mere 169(A)(g)(6) and 169(A)(a)(1) and Congress's intent is quite clear with respect to concept of integral vistas. Not authorized.
- Also omissions in Act indicate Congress did not intend for integral vistas to fall within visibility program 169(A)(a)(3) does not direct EPA to report to Congress on any such vistas and 169(A)(a)(2) to (4) do not require the preparation of procedures for vista identification. Also 165(e)(1) refers to adjacent areas and outlined what Congress had in mind for these areas.
- EPA proposes to regulate integral vistas because Congress failed expressely to forbid it, but no regulatory body may regulate without specific authority.
- Regulations should clearly state that only "listed" areas are protected under 169A and that the list cannot be augmented if other areas are redesignated Class I areas.
- Agency has failed to follow proper procedures in listing mandatory areas where visibility is to be protected.
- Eliminate confusion in Section 51.302(C)(1)(iii) with 51.302(C)(2)(i) regarding the handling of new sources under PSD.
- New sources are handled under PSD and are not subject to additional visibility requirements. Exchange between MSSRS. McClure and Muskie.
- No requirement in 169A for reevaluation of BART limitations. No express requirement as in III(b)(1)(B) to reevaluate.
- Proposal fails to take into account the substantial time required to establish individual visibility emission limitations.
- More than 3 months are needed to identify and list integral vistas.
- Following procedures for listing of integral vistas should be followed:
  1. The federal land manager must develop a record on each potential "integral" vista.
  2. Each federal land manager must develop a proposed identification of "integral" vistas and publish a notice of these proposals in the Federal Register along with a statement of their basis and purpose.
  3. The public should be given an opportunity to make oral presentations, to submit written comments, and to submit supplemental and rebuttal comments on the proposed identifications.
  4. Final identifications must be published along with a statement of the basis and purpose for the identification, and the decision and record transmitted to EPA.

IV-D-271 (continued)

5. The Agency must prepare an independent assessment of each "integral" vista identified by the federal land managers, responsive to Executive Order 12044 and Section 317 of the Act, and determine whether they are vistas "in which...visibility is an important value." Section 169A(a)(2).
6. The public must be given an opportunity to make oral presentations, to submit written comments, and to submit supplemental and rebuttal comments on the proposed listing of "integral" vistas.
7. The final list must be published along with a statement of its basis and purpose.
8. The final promulgation by EPA must be subject to judicial review.

- Two guideposts are the one year period under 169(A)(2) for the original listing and the 2 year, 3 months actually consumed to promulgate the list of these areas.
- All vistas should be listed at one time.
- Opportunity for source to file and have considered an exemption application is severely limited if only 9 months is permitted to develop BART requirements.
- Considerable data needs to be collected.
- Recommend states only have requirement that certain sources install BART within 9 months. Actual limits could take longer to develop.
- Adopt PSD definition for potential to emit.
- Should not include fugitive emissions in stationary source definition. Should not include surface mines.
- Requirement for continuous monitoring should not be imposed--no basis.
- Regulations silent on startup, shut down and malfunction.
- Does manmade pollution include water vapor?

Virginia Electric and Power Company (Vepco), IV-D-272

"Costs per acre" to preserve and protect visibility could be for more than the Federal 1980 "Natural Resources and Environment" budget.

- Vepco's Mt. Storm plants may impact on the Dolly Sods and Otter Creek Class I areas of West Virginia. The costs to meet a 5% visibility reduction criteria, as related to area, would be (based on acreage of the Class I areas) $40,645 per acre and $14,700 per acre for capitol and annual operating costs, respectively.
- In contrast, the total federal budget for parks divided by the total acreage is an expenditure of $128.50 per acre.
- Based on a 1966 report - EPA stated the value of recreation areas would be $1.00 per visitor-day." The annualized retrofit costs to Mt. Storm related to Dolly Sods and Otter Creek are equivalent to $4,000 - $18,000 per visitor-day.

Visibility is not a health related issue, and therefore no assessment costs and benefits can be made involving human life and wildlife protection.

Visibility Modeling

- It is unwise to use an unvalidated model.
- Many people place so much faith in computer techniques that early warnings about model limitations may not be heeded.
- Strongly urge EPA to refrain from using any models for regulatory purposes until they are fully validated.

Comments on BART

- Reanalysis of BART should not be required.
- Installation of new varities of BART would have an extremely low cost-benefit ratio.
- Vepco does not believe that there will be "grandfathering" of sources from future BART requirements as the preamble to the regulations indicated.
- There is an implication EPA is considering doing the BART analysis for certain specific sources. This would be contrary to the intent of Congress, that states have primary responsibility for conducting the visibility program.

IV-D-272 continued

Comment on the "Preliminary Assessment of Economic Impact of Visibility Regulations".

- This assessment covers only the costs associated with the few major sources affected in "Phase I".
- No comparison of cost to benefits is made. The report states "in developing visibility regulations it is important to assess the potential benefits...".
- Cost estimates were not based on the application of BART. They were determined from estimates of emissions reduction to achieve alternate threshold values of visibility impairment. This may not be related to BART.
- The assessment is riddled with technical errors. For example: 1) Mt. Storm Unit 1 is listed as starting operation prior to August 7, 1962 and therefore "grandfathered". Mt. Storm Unit 1 started operation September 20, 1965. This error changes the cost estimates at Mt. Storm by 50%. 2) The stated distances from Mt. Storm to Dolly Sods and Otter Creek Class I areas is in error. The location of the Class 1 areas on Figure 1 of the report is in error.
- These errors make the report totally worthless.
- The regulations should not be promulgated until the public can comment.

Opposes the definition of natural conditions and use of "seasonal best visibility".

- "In any season it is possible for unusual weather conditions to result in rare occurrences of very good visibility. These occurrences would be just as rare in the absence of man-made impairment as they are under existing conditions". - Vepco.
- Taking the best condition in a season may be an abnormal condition.
- Visibility is often poor in West Virginia as a natural occurrence.

Comments on Identification of Integral Vistas

- Since areas within Class I viewing range are not likely to change, Vepco sees no need to identify new integral vistas in the future.
- If a new integral vista were identified subsequent to a tentative PSD selection site, it could disrupt the application process for 18 months or more.

IV-D-272 (continued)

- Allowing an integral vista to be designated by a FLM in response to a PSD permit application would be a perversion of the basic concept of integral vistas.

Comments on the concept of integral vistas:

- EPA's attempt to expand visibility protection provisions to include vistas outside of Class I areas is contrary to the clear language of the Clean Air Act.
- Congress has not tried to restrict commercial or residential development outside the National Parks.
- Extending the visibility protection would further reduce the already negligible cost-benefit ratio.
- This could have tremendous economic impact.

American Paper Institute/National Forest Products Assoc., IV-D-273

Department of Interior identified a total of 156 mandatory Class I federal areas, and EPA has accepted the list without a review or selection process.

- Section 169A(a)(1) of the Act requires EPA to make the final determination.
- EPA should fulfill its statutory duty, and perform an adequate review.

Comments on definitions:

- "Potential to emit" - the court's decision (Alabama Power Case) does not justify or include EPA's definition. It does not exclude the use of permit restrictions. The definition should be revised to include emission reductions due to enforceable permit conditions.
- "Fugative emissions" - this should be in a separate rulemaking with specifics for particular industries.
- "Visibility Impairment" - rather than "any...change in visibility...which would have existed under natural conditions" it should read, "a...change in visual range... that interferes with the viewing of important scenic landmarks or panoramas, and is caused solely by man-made air pollution and is not attributed to natural conditions".
- "Natural conditions" should include forestry burning for the purpose of wildfire hazard reduction.
- "Significant impairment" - the work "significant" should be inserted in the definition. This should also vary with the area where the visibility is protected, i.e., the Great Smokey Mountains.
- "Integral vista" - there is no statutory authority for this concept.
- "Adverse impact" - should include the word significant.

Opposes the "grandfather" override by a modification section and other language.

- The PSD concept of "in combination" included in the proposed regulations seem to attempt to circumvent the "grandfather" clause of the Act.

Opposes the concept of "integral vistas".

- Extends the veto of PSD permit applications to source which may impact on integral vistas.
- Contrary to the intent of Congress and not in the Act.
- "Integral vistas" constitute a type of illegal buffer zone.
- Economic impact analysis was not performed.

- Guidance document not substantive.
- There should be formal rulemaking procedures for each "integral vista" identified.

Comments on BART:

- EPA failed to define which sources will be subject to BART.
- The ICF report makes too many assumptions.
- The ICF report uses an inadequate data base.
- The ICF report uses unsupportable and rough-cut modeling techniques.
- The reanalysis provision could cause a company to expend funds twice.
- There should be a grace period for reanalysis, i.e., 10 years for any source that has installed BART.

Comments on New Source Review:

- The proposed regulations allow too much power to the FLM.
- Lack of guidance as to how the relationship of PSD/BACT and maintenance of visibility is to be determined.

Monitoring and Modeling:

- Validated dispersion - visibility models are not available.
- Modeling should not be encouraged until the models are validated.
- Observer panels of 25-50 members should be formed.

Opposes the regulations of prescribed burning.

- Prescribed burning was not listed as a "major source" category in the Act.
- Not subject to BART since it was used before August 7, 1962.
- Prescribed burning is not fugative emissions unless it is listed in a specific rulemaking for that industry (Alabama Power decision). Cannot include a source which activities result solely in fugative emissions.
- The results (fire) do not exceed "natural background". Prescribed burning should be included in the definition of "natural background".
- Fire is natural part of environment.
- Prescribed burning is used for wildlife management, wildfire prevention, weed and disease control, and site preparation.
- Existing programs for smoke management are adequate.

IV-D-273 continued

Comments on the ICF Report:

- Report employs assumptions which are not consistent with regulations.
- Report uses inadequate data base. Understates the no. of pulp and paper mills built or modified since 1962 which could cause visibility impact. Thirty mills were not identified in the report.
- The report provides no assessment of potential benefits and effectiveness of regulations. No basis for evaluating cost-effectiveness.

Union Oil Company of California, IV-D-274

Agree there is a need for control (RACT) on existing sources of plume blight of Class I areas.

Regional plume blight needs more study to make definite determinations of the responsible sources.

BACT on new or modified sources should await adequate monitoring and modeling techniques.

- Denial of a permit should only come after weighing of the benefits including costs to the nation.

EPA should issue a comprehensive policy statement on visibility impairment.

Opposes present definition of "visibility impairment":

- "any...change in visibility..." was not envisioned by Congress.
- The definition should refer to the interference with public enjoyment.

BART

- EPA needs to publish guidelines for BART on other than power plants.

Comment on fugative emissions:

- Emission sources such as from valves and flanges (VOC's) have been referred to in the past as fugative emissions.
- These sources, valves and flanges are easier to control than other types of fugative emissions.
- The emissions from large sources such as coal piles, rock piles, roads, etc. should not prevent necessary mining and energy projects.

SIP revisions should be allowed more than nine months.

Holland and Hart, IV-D-275

- Comments submitted on behalf of ASARCO (Smelting, Mining & Refining of Various Minerals)
- Proposed regulations go beyond program authorized by Congress in Section 169A.
- Recommends delaying promulgation until adequate scientific data is available.
- Realizing delay may not be considered additional comments after the regulations are presented.

General Comments

- ERT curves used in Preliminary Assessment of Economic Impact were not designed to make even tentative conclusions regarding specific levels of visibility impairment from specific sources.
- ERT recommends references to specific sources in assessment be deleted.
- Regulations and procedures are too subjective.
- No reasonable method for implementing "human perception standard".
- No guidance:
  - (1) meteorological conditions under which Class I areas should be observed.
  - (2) procedures the human observer should follow to distinguish manmade sources of pollution.
  - (3) limitations on visual range that should be considered acceptable in making visibility impairment determination.
- Similar limitations are inherent in significant impairment and adverse impact devinitions.
- No reliable procedures:
  - (1) distinguishing manmade from natural pollution.
  - (2) qualtifying the contribution of an individual source to visibility problem.
  - (3) assessing the improvement in visibility that will result from controls.

Existing Major Stationary Source

- By incorporating the proposed PSD definitions of stationary source, EPA has created administrative mechanism for extending visibility protection to any reconstructed, stationary source. This is totally unwarranted.
- Really can't just control new additions in some cases.
- Reconstruction wipes out Act exemption.
- Agency's interpretation of reconstruction flies in the face of Section 119. Reconstruction could require additional controls even when NSO.

- 169 is not similar to 169A.
- 169(2)(c) defines construction and by including this definition, Congress made clear that it intended for PSD purpose to regulate not merely construction of entirely new but also modified sources as well. 169A is devoid of this type of language.

Integral Vistas

- Contrary to language of Section 169A.
- Legislative history enforces the need to protection in Class I areas.
- Quotes Rep. Maguire's statement concerning scenery in Class I areas as need for special visibility protection.
- Revise regulations to delete integral vistas.
- Guideline for identifying integral vistas is weak - no meaningful guidance.

Fugitive Dust

- Revise regulations to make clear fugitive dust emissions do not count in potential to emit calculation.

BART

- Once subject to controls, source should not be subject ot additional controls. Delete reanalysis provision. Reanalysis allows data to be gathered on a visibility program after the program is being implemented.

FLM

- Definition inconsistent with Act's definition.
- States have primary responsibility for development and implementation of visibility control programs supported by McClure and Muske exchange.
- Revise the following provisions:
  - (1) Section 51.302(a)(2)(6): By Section 169A(d), the state (not the federal land manager) has authority to summarize the federal land manager's recommendations.
  - (2) Section 51.302(b)(3): The state has authority for implementation of the visibility control program.
  - (3) Section 51.302(c)(4): The state has authority for BART determinations. The sole involvement of the federal land manager in a BART determination is to review a proposed BART exemption.

IV-D-275 continued

(4) Section 51.305: There is no statutory basis for requiring federal land manager assistance in the process of developing techniques for visibility monitoring and observation techniques. Additionally, the development of monitoring techniques is outside the federal land manager's area of expertise.

(5) Section 51.306: The statute provides no role for the federal land manager in the development of the states' long-range visibility strategy.

PSD

- New sources and visibility should be under PSD.
- Without model, how can one assess impact on visibility from new source.
- Agency has adopted "regulate now, substantiate later" approach.

American Textile Manufacturers Institute, Inc., IV-D-276

Disagrees with aspect and definition of visibility impairment. How will visibility baseline be established? Visual observation for requiring BART to a source is unfair.

Federal Land Manager is outstepping his jurisdiction in controlling integral vistas. Integral vistas was not the intent of Congress. Opposes increased authority being provided to the Federal Land Manager.

Demonstration projects employing BART should be conducted prior to implementation of such to determine its effectiveness.

Oppose mandating BART reanalysis with every new technical advancement. Too costly. Conflicts with CAA's grandfather provision for older resources.

National Parks and Conservation Association, (T. Destry Jarvis), IV-D-277

Supports EPA's definition of "visibility impairment", but strengthening changes are needed within regulations.

Supports EPA's initiative to protect "integral vistas":

- Not only inside - looking outside vistas, but outside-to-inside views as integral vistas are recommended.
- Propose that wording of the regulation be revised to leave no doubt that vistas must be protected rather than may be.
- Responsibility for determining which areas are integral vistas belongs to agent in charge of Class I area.
- Final judgements about integral vista must be made on basis of preserving resources in question rather than energy or economic conservations.
- Urged is an even better defined and more aggressive role for the National Park Service and other federal land managing agencies in implementing visibility protection.

For new sources, the key role for the federal land manager in visibility assessment should be more thoroughly defined.

- FLM should be allowed more than 30 days to determine adverse impacts from proposed facilities (a year should be allowed).
- Section165(d) of CAA Amendments give FLM responsibility to protect Class I areas from "adverse impacts to air quality related values (including visibility) "from new facilities. Proposed visibility regulations conflict with this by failing to require a state to obtain agreement of FLM before issuing a permit to a source whose emissions are projected to exceed Class I pollution increments.

For existing sources, NPCA supports giving FLM a stronger role and more flexible time frame to retrofit existing sources.

- 90 days after promulgation of regulations is not proposed for FLM or state to identify existing impairment, but this is inadequate.
- EPA's phased approach to implementation of regulations will limit ability to control emissions from facilities impairing visibility during Phase I. A date should be specified when Phase II will be implemented.

IV-D-277 continued

Recommend incorporating some of the more sophisticated monitoring and modeling techniques into regulatory program.

Disagree that the proposed visibility regulations will preclude all development in large areas surrounding Class I parks.

Agree that energy demand must be balanced with need to preserve our national heritage of parks and wilderness, but the FLM has a clear mandate to protect Class I areas rather than focusing on the energy demand of other interests.

Council on Wage and Price Stability, IV-D-278

- Report of Regulatory Analysis Review Group (RARG).
- Regulations should be modified to consider broader range of factors necessary to balance the benefits and costs of visibility control.
- Modify integral vistas:
  - FLM should only nominate for State decision those vistas deemed important.
  - Allow States to balance competing interests.
  - State identify integral vistas and include them in SIP.
  - If FLM disagrees with State's vista decisions, he should be able to petition EPA criterion used by State in making integral vista decisions. Should not be considered in EPA's review of SIP.
- Questions visibility protection in Phase I.
  - Will Phase I actually provide benefits?
  - How much Phase I control spending is enough?
  - How will EPA address distributional questions?
- Narrow range of costs in draft regulatory analysis.
- Benefits to visibility program are extremely subjective.
- Integral vistas outside authority of the Act.
- Believe case-by-case analysis of the importance of vista relative to other vistas and relative to other land uses is necessary.
- Protecting integral vistas may of course generate important visibility benefits. However, the proposed regulations may generate unreasonable results.
- Want competing interests to be included when protection of integral vistas is determined.
- Five year period to identify vistas creates a great deal of uncertainty.
- Concern of future Class I areas.
- While Phase I contains basic structure of visibility program, three important questions remain.
  - (1) What assurance does EPA have that existing and new source visibility control expenditures in Phase I will actually generate visibility improvement (i.e., greater visual range and color contrast) and visibility benefits (i.e., greater visitor visual experiences in federal class I areas)?
  - (2) What assurance does EPA have that a dollar of pollution control cost expended to improve or protect visibility in Phase I will generate visibility improvement and benefits that are commensurate with the improvement and benefits achieved with a dollar of pollution control expenditure in subsequent phases? Phrased another way, how does EPA propose to determine the appropriate level of

visibility control in Phase I given that substantially better information concerning the causes and cures of visibility impairment will be available in subsequent phases?

(3) How does EPA propose to address the redistributional consequences of the proposed regulations? For example, it appears that the proposed regulations force the residents of states wherein federal Class I areas are located to subsidize the benefits (i.e., greater visual experiences) derived by visitors from other states who frequent the area.

- Benefits derived from incremental improvements in visibility are not described as an appropriate parameter for BART decisions.
- Use models even though limited to determine about improvement expected from application of BART.
- Revise guidelines to clearly state that purpose of applying BART to existing sources is to improve visibility.
- Concern over EPA's proposed definition of adverse impact will preclude state comparison of the costs and benefits of new source visibility controls.
- Need to include appeal provisions 165(d)(2)(c)(iii) in regulations.

Department of Interior, National Park Service, IV-D-278a

- Disagree with RARG's recommendation that States determine integral vistas.
- Concur with RARG that the responsibility to consider a variety of factors is inherent only in the state review and decision making process.
- State however does not have affirmative responsibility to protect air quality related values (FLM does).
- Appropriate place for state involvement is in SIP revision process and it makes a determination as to whether the integral vistas is to be incorporated into the SIP. State is to provide opportunity for public to comment on adequacy of FLM determination.
- Disagree that factors other than visibility should be considered in identifying integral vistas.
- Cannot support RARG's economic impacts as no analysis is provided.
- Fact is that three power plants have located within 50 KM of Class I areas and three large coal fired boilers appear to be able to locate within 1/2 mile of an eastern Class I area.

AMAX, Inc., IV-D-279

Opposed to the inclusion of fugative emissions in the Potential to Emit:

- Has not been given specific justification.
- EPA has not shown that fugative emissions from the 28 source categories will consist primarily of particles with sizes which will impair visibility.
- Fugative emissions should not be counted or counted only to theextent they can significantly impact visibility, e.g. particles less than 1 micron in diameter.

Agree with the statement that modeling is inadequate at this time.

Opposes Section 51.302(a) consultation:

- The state will consider what the FLM says in review, but the state makes the final decision.
- EPA review should be procedural rather than substantive.
- This should be stricken from the regulations.

Comments on Section 51.302(b):

- Mandated consultation between the state and FLM should be suggested, not mandated.

Opposes the integral vistas concept - Section 51.302(c)(2):

- Section 169A speaks of "visibility in" mandatory Class I Federal areas.
- Several citations of early work on the act are used for examples of the intent of Congress.
- Prohibition of an automatic buffer zone.
- Even if integral vistas is authorized under the act - the states should identify them.

Opposes Section 51.303(e):

- There is no authority in the act for requiring state concurrence for exemption.

Comments of Section 51.302(c)(4) - BART:

- The provisions of Section 51.302(c)(4)(ii) are improper - FLM cannot do more than comment to the state.
- FLM do not have the expertise to make a BART judgement.

IV-D-279 continued

- There is no provision in Section 169A of the Act that requires continuous monitoring.
- Because of the nebulous connection between a source's emissions and its impact on visibility, continuous monitoring should not be required.

Comments on Long Term Strategy - Section 51.306:

- Long Term Strategy as proposed unduly interferes with state prerogative.
- Periodic reviews of not less than three years appears to be excessive.
- The Act does not authorize reanalysis of BART. This would create a moving target for industry. It is not in PSD permits.

Opposes Section 51.307 - New Source Review:

- EPA is dictating to the state certain control strategy.
- The states may choose another control strategy. The state may choose to regulate area or mobile sources rather than new "major emitting facilities".

National Coal Association, IV-D-280

Visibility impairment is a reversible phenomenon, and it is an aesthetic value.

EPA has failed to provide scientifically sound techniques and guidelines:

- Nine months is inadequate time for SIP's even if guidelines available.

Opposes the concept of integral vistas:

- Goes beyond the authority granted in Section 169A.
- Selection process would give too much authority to FLM.

Expanded role of the FLM in the regulations extends federal land use planning into areas administered by the states:

- Integral vista will expand authority of FLM.
- FLM indirectly has control over future energy development.
- The definition of powers of the FLM is vague in the regulations.

Opposes the definition of impairment:

- "contrast" should not be included in the definition.

Comment on "Significant Impairment":

- Should take into account not only visitor days, but times when visitors might view the scene.

Comments on BART:

- Should be allowed to consider supplementry control systems.
- An existing source should be able to petition the Administrator for an exemption.
- Lack of objective economic analysis.

EPA should withdraw its proposed rulemaking, and revise the draft guidelines.

Burgess, Concerned Citizen, IV-D-281

Promotes an attitude of "protect our vistas" from the increased mining, drilling, and exploration activities within the area of Colorado.

No direct comments made towards the proposed regulations.

South Carolina Public Service Authority, IV-D-282

Comments about visibility impairment:

- There are no objective criteria for distinguishing between "significant" or "adverse" impairment and "acceptable" impairment.
- There is no satisfactory basis for valuing an incremental change in visibility or to permit comparison between value and costs.

Objects to the exemption procedure, Section 51.303:

- The review by the FLM and the state reduce the flexibility of the procedure.
- The requirement that a state concur on the exemption should be deleted.

Objects to the language in the New Source Review section.

- The review by the FLM and the state reduce the flexibility of the procedure.
- The requirement that a state concur on the exemption should be deleted.

Objects to the language in the New Source Review section:

- The term "adverse impact" used in Section 51.307 is not clearly defined. States could take this as too broad a definition.

Suggest alternate language for the regulations:

- Instead of "impairment" - in terms of "adverse effect upon enjoyment".
- Instead of the term "anticipated" (Section 51.302(c)(4)(ii) - use only "identified impairment" when referring to a PSD applicant.
- Section 51.303(2)(l) should be revised to reflect the language in the BART guidelines. In the guideline it is suggested the exemption application and decision occur after a source has been selected for BART analysis. The language in the proposed regulations indicate the request for exemption will take place after the BART analysis is complete.

Proposed regulations dealing with BART reanalysis are deficient:

- Fail to tie new BART requirements with new or continuing visibility problems.
- Regulations should make clear no BART reanalysis required for sources previously subjected to BART when there are no compelling needs or alternate control strategies.

IV-D-282 continued

The definition of "in existence" is too broad:

- Failed to properly distinguish between "in existance" for purposes of Section 169A and "commenced construction" under the PSD regulations.

Comment on "Proposed Guidelines for Determining BART":

- The guideline states that BART for most powerplants will be NSPS.
- There is no analysis or discussion to prove this approach.
- Suggest that the states consider imposing as part of Phase I, controls to prevent "future phase" visibility impairment such as that associated with regional haze. This should either be done at a time when the problem and control can be specified or left up to the source.

West Associates, IV-D-283

Recommends that a five-year study program be implemented in lieu of the proposed regulations.

- Primary mechanism for new source visibility reviews should continue to be the protections inherent within current PSD regulations as applied to new sources.
- Additional protection built into new source performance standards, "...standards which have tight emission limits..." will effectively preserve visibility within the Class I areas during this five-year period.

Rockwell International, IV-D-284

Discussed within these comments are technicalities involved with visibility monitoring and modeling techniques.

- In operating a visibility monitoring station, telephotometry and nephelometry and stressed the techniques of choice at this time.

Rockwell's Environmental Monitoring and Services Center submits the following comments on the EPA documents "Interim Guidance for Visibility Monitoring" and "User's Manual for the Plume Visibility Model (PLUVUE)." These comments address the following points:

1. A new visibility monitoring technique exists which has certain advantages over telephotometry.
2. There is evidence that some of the reddish or brown color of plumes and hazes is not attributable to nitrogen dioxide.
3. The integrated nephelometer should not be run in a constant temperature environment.
4. There is an unwarranted assumption about visual ranges when the telephotometry targets are not visible.
5. All parties will need far more guidance on the data processing and statistical analysis needed to establish whether a visibility degradation exists.
6. The PLUVUE model is believed to be in error with regard to the generation of OH radicals, which influences the conversion of sulfur dioxide to sulfate.
7. The document on model development (EPA-450/3-78-110) has certain errors which could be propagated into the computer program or into values the user must specify.

Arizona Department of Health Services, Division of Environmental Health Services, IV-D-285

Comments on EPA Guideline documents for visibility impairment:

- Guidelines fail to adequately describe the "appropriate techniques and methods "that the State must employ.
- The document "Protecting Visibility - An EPA Report to Congress" stated that EPA had performed virtually no background monitoring. Background data is necessary to determine what natural conditions are in a given area. Without guidance presumably this must be gathered by the state.
- The "EPA Report" also states that no studies, on the contribution of area or mobile sources, have been performed concerning their contribution to visibility impairment.
- If baseline levels and the contributions from non-point sources were known, a state could then proceed with BART analysis.
- The guidelines fail to tell what the cost of compliance will be for alternative definitions of BART on other than power plants. Arizona is heavily impacted by copper smelters, but little is said about smelters.
- The EPA documents do not adequately explore the methods by which states can measure the non-air quality impacts of alternative definitions of BART.
- The guidelines fail to indicate what degree of improvement in visibility can be expected from alternative BART findings.
- The EPA visibility models have not been validated.
- The state has preliminary data to indicate the "Visibility Impairment Due to Sulfur Transport and Transformation in the Atmosphere (VISTTA)" is based on technical assumptions which may be invalid.
- If "VISTTA" is invalid then, (a) the conversion of sulfur dioxide to sulfates in the plume of a power plant may be of a size which would not impair visibility; (b) regional haze is attributal to a multitude of sources; and (c) plume blight is primarily caused by nitrogen dioxide and particulates rather than sulfur compounds.

The proposed grant to Arizona for implementation of a visibility program in FY 80-81 is $2,500.

- Without guidance or funding the state cannot proceed with a program.

It is unrealistic to expect a State agency to be able to adopt and implement visibility regulations in nine months:

- It would take as much as nine months to adopt regulations that had already been drafted.
- The identification requirements should be promulgated now and the BART and strategy requirements should be promulgated at least nine months after the identification requirements are met.
- The phased approach should be adopted for the SIP's.

Opposes the major role played by the FLM in the regulations:

- The state feels this is unjustified by language in the Act.
- Voluntary discussions with the FLM and state should be carried out.
- The FLM is integrated in the states adoption of a visibility protection program - this is not in Section 169A of the Act.
- Under Section 51.302(c)(4)(ii) the state must consult with the FLM or BART determinations. In the Conference Committee Report, only the state is mentioned.
- Under Section 51.305 the state must consult with the FLM on visibility monitoring - there is nothing in the Act to support this.

American Public Power Association, IV-D-286

Comment on "Visibility Impairment":

- It is unclear to what extent visual observations will be used to make a determination.
- Visual observation is very subjective.
- It is not fully understood how long range transport affects visibility.
- Recommend EPA change definition of "reasonably attribute" to "attributable by means of visual observation and other monitoring techniques".
- Neither visual nor instrumental methods should be used exclusively.

The role of the FLM is greater than Congress intended:

- FLM's are authorized under Section 302(c)(4)(ii) to help perform BART analysis - FLM's may not have the technical expertise.
- Section 304 authorizes identification of integral vistas - these are outside the Federal Class I areas hence FLM's are not appropriate individuals.
- FLM's have unauthorized responsibilities under Section 51.307. Final decisions should not be made by the FLM's.

The source should be included in negotiations of New Source Review in Section 51.307.

Opposes the concept of "Integral Vistas":

- The Act is explicit in restriction of "buffer zones".
- Act only applies to inside Class I Federal areas.
- This may not even be necessary. Many sources will retrofit to prevent impact on the area, thereby reducing the impact on integral vistas.

Comments on the ICF Report:

- The economic analysis was neither accurate nor complete.
- The case of the JEA's Northside Station is cited. The report said the Station was burning 1.4% S fuel oil, and a reduction to 1.3% S would increase visibility in a Class I Federal area. However, Northside burns 1.8% S oil, and they estimate the cost of going to 1.3% oil to be $7 million annually. ICF attributed negligible cost to the switch.

F. W. Chapman, Jr., Manager, Environmental and Energy Conservation, Atlantic, Richfield Company, IV-D-287

General Comments:

Opposes the regulation due to lack of technical support and possible adverse impact on the nation's goal of increasing domestic energy supplies.

Specific Comments:

- The scientific understanding of visibility is inadequate.
- The concept of visibility impairment is nebulous.
- The standards that are proposed in the rule to measure visibility are unclear.
- There is an absence of visibility monitoring and modeling methodology - the EPA itself states that there is no satisfactory way to model visibility impairment.
- The criteria for establishing and applying Best Available Retrofit Technology (BART) is extremely vague.
- Projected emissions from a new source would be analyzed for visibility impairment impacts on the gasis of non-existent or invalidated models and unspecified measurement techniques - a situation which is clearly inappropriate.
- The proposed rule and the support documents do not evaluate adequately the impact of the proposed rule on energy supply and costs.
- Section 169A of the Clean Air Act authorizes the EPA to protect the visibility in mandatory Class I areas. The concept of integral vistas unduly extends this statutory authority to areas outside of Class I areas and should be deleted. Furthermore, from a policy standpoint, the concept could have severe adverse impacts on energy development in the western part of the country.
- As stipulated in Section 51.304(f), the Federal Land Manager has five years to identify integral vistas for existing Class I areas. This is an unnecessarily long period of time.
- In Section 51.307(h)(1)(i), it is required for new source review purposes that the State plan shall provide for protection of integral vistas identified prior to the calendar year in which a new source permit application is filed. The minimum of a full year's notification of the identification of an integral vista is essential, and two years would be preferred.

- The possible requirement for a multiple number of BART installations for a single source, Section 51.306(e), is not founded in the Clean Air Act Amendments, nor is it a reasonable requirement from an economic point of view.
- The definitions of "natural conditions", "significant impairment", and "adverse impact" must be quantified to some degree (Section 51.301(k)(l)(r).
- The role of EPA and the Federal Land Managers is about right, however, the veto power of the Federal Land Manager in situations of exemptions of sources from BART is still more authority than the Federal Land Manager should have and in the near future, the State/EPA Visibility Program must be amended to remove this authority.
- Current PSD-NSR programs will not be able to accurately define visibility impairments until the late 1980's or beyond.
- EPA has tentatively defined baseline visibility as an approximation of natural levels, but there is no way of knowing what the actual natural baseline conditions are. Realistically, it cannot be defined.
- A more appropriate general definition of "impairment" than that proposed by the EPA (ANPR) would be:
  - Impairment of visibility is a long-term change in the atmosphere from that which would exist under baseline conditions, as visually perceived by an average person.
- It is inappropriate for EPA to consider phased programs and long-term strategies while there remains much work to be done in the basic understanding of CAA77 and the documentation underlying it as they apply to visibility protection.

Salt River Project, IV-D-288

Concerned that all documents relating to the rulemaking were not available in the Docket.

Modeling - Guidelines:

- Use Gaussian Models - in complex terrain they are inaccurate.
- Not directed at what Congress intended.
- Refer to actions to be accomplished by the FLM and other Congress did not specify.

BART - Guidelines:

- Congress did not intend for BART to be imposed more than once.
- No guidance given with respect to: 1) energy and non-air quality environmental impacts of compliance. 2) Effectiveness of existing controls. 3) Remaining useful life of source. 4) Degree of improvement anticipated from proposed technology.
- No cost/benefit analysis.

Comments on "Monitoring Guidance":

- "Visibility definition" is header for a section, but does not contain a definition.
- Objects to simple visual observation of a plume used to indicate visibility impact.
- Guideline addresses FLM action - inappropriate.
- Cost/benefit ratio may not be appropriate. Should apply, as regulations should, only to areas within the Class I area.
- Use of other monitoring techniques such as airborne instruments is questionable. If exotic techniques employed then in past cannot be "reasonably attributable".
- QA procedures too costly.
- Calibration as specified: for telephoto meter is too frequent, for nephelometer is too infrequent.
- Acceptance ranges for telephotometer and nephelometer should be established.

Comments on "BART Guidelines":

- Questions the costs tables for the Navajo Generation Station.
- Continuous operation and performance of control equipment to meet levels of control for NO_x, SO_2 and particulate called for in the report has not been adequately demonstrated.

- The report did not discuss land and relocation costs relating to the Navajo plant even though it was stated in the evaluation.
- A statement was made that a source may contribute to regional haze and this should be included in BART analysis. 1) This is a Phase II issue, 2) it implies there are mechanisms for determining regional haze contribution.
- Photographic techniques are subjective.
- Statement that source may contribute to regional haze; the analysis should include removal of SO_2 and primary particulate in a single system. This makes assumptions on control technology and regional haze, a Phase II area.
- Cost analyses were simplistic and needed further study.
- Does not agree with EPA stand on scrubbers.
- Does not define the role of continuous monitoring.

Comments on "Workbook for Estimating Visibility Impairment":

- Objectionable" has not been defined.
- Regional haze is not necessarily a source specific problem.
- Reference to computer graphics is not appropriate - this is not applicable to visibility impairment.
- Several statements made that level-3 analysis should be performed even if the level-1 and level-2 test passes. Why have level-1 and level-2?
- Human visual perception is more complex than suggested.
- Questions a number of assumptions made in treating the model in level-3.
- One of the definitions of visibility impairment refers to "memory", this is too subjective.
- Disagree with some of the assumptions made on the level-1 screening.
- Level-2: No basis for adding 500 meters to the effective stack height.
- Level-2. "Trapping of emissions by flow reversal". No evidence - no reference - should not speculate.

Comments on "PLUVUE Model User's Manual":

- Definitions - have defined visibility, visibility impairment and related terms in terms of model output parameters based on limited amount of data.
- Gaussian plume model should not be used for modeling long distance transport or in complex terrain.

- Atmospheric chemistry is not adequately treated.
- Some of the treatments in the Atmospheric Optic module are over simplified in their assumptions.
- Regulatory commitment to a model should not be made until validated.
- Specification of background conditions will have large effect on results even if using a validated model.
- The balance of the comments were specific and on a page-by-page basis.

Tampa Electric Company, IV-D-289

The proposed elements for a SIP revision are too burdensome with a too short time frame.

- SIP revision should be for states to devise a long term strategy.
- BART would be delayed until a long term strategy has been developed, thereby giving more time to study and analyze the problem.
- Visibility impairment is reversible so there is no emergency need to proceed with the regulations.

Comments on definitions:

- "Reasonably attributable" - due to current models limitations. The definition (as TECO interprets) specifically exempts sources implicated only by present models.
- "Visibility Impairment" - "human" adds subjectivity to the definition.
- Those definitions which also appear in the PSD regulations should be revised to conform to the finalized PSD regulations.

Comments on modeling:

- Current models are based on Gaussian dispersion assumptions - will not work at long distances, i.e. greater than 10 km.
- There are a variety of other limitations with these models.

Opposes the concept of "integral vistas":

- Was not intended by Congress.
- The definition and references to SIP revision for integral vistas should be deleted.

Opposes application of Section 169A to new and modified sources:

- This is not authorized by the Act.
- For new sources the program regulating visibility is contained in the PSD program requirements.
- The preconstruction review by the FLM and state are unwarranted and unjustified.

Comments on the ICF report:

- ICF identified visibility impact on the Chassahowitzka Wilderness area by the Big Bend and Gannon Stations. The facilities are alleged to cause 35.5% worst case reduction in visual range.

IV-D-289 continued

- The impact to TECO financially would be 68.7 million annual cost for a 25.5% reduction.
- The cost per visitor day to Chassahowitzka would be (25.5%) $5,190 to (5% reduction) $363.
- The ICF cost figures are underestimates for control by 30%.

Tuscon Electric Power Company, IV-D-290

Comments on definitions in paragraph 51.301:

- "Natural Conditions" has an inadequate definition.
- "Significant impairment" is too vague. Without threshold values, not enough is known to define. A basis for contrast change might be added - that is 2.5 sigma units times the threshold value of 0.04; the total contrast change of 0.14 (0.1 + 0.04) could be adopted. Visual range must also be defined - suggestion: twice the measuring error (about 15%), or a reduction in visual range equal to one sigma from annual arithmatic mean for the area, which ever is greater. Suggested frequency of impact be no more than 18 days per year of plume impact.
- "Reasonably attributable" - should have clarifying language which will "finger print" the source. Accurate monitoring and duration data must be required.

Opposes the expanded role of the FLM in the proposed regulations:

- The role of the FLM in the regulations goes beyond paragraph 169A of the Act.
- The regulations allowing veto power to the FLM over existing sources is illegal.

Opposes the concept of integral vistas:

- There is no basis in language in the Act for the extention of visibility protection.

The proposed regulations make no allowance for long range transport of areas and mobile sources.

Opposes concept of reanalysis for BART:

- A source which if once reviewed and installed, controls should not be reviewed again. This would be very disruptive and uneconomic.
- A source should not be required to install control for SO_2, then three years later required to install NO_x control. This is not what Congress intended.

Comments on EPA's report to Congress, Chapter 4:

- Results questionable because:
  (1) Regression studies by TEP of visibility vs. nonmethane hydrocarbons, auto NO_x, construction activities, population, and fertilizer use explain 85% of the variability in Tuscon visibility without using smelter emissions as a variable.

(2) It is not possible to establish a correlation between measured sulfates and visibility with data collected for TEP by University of Arizona in 1974.

(3) All Pheonix data for 31 locations submitted by UARG Vis. Comm. tested by regression techniques - sulfates explain very little of visibility variability.

(4) Trijones and Yuan may have done selective editing and manipulation of scientific data base or completed the report with insufficient data.

- To support TEP's statement, they have performed a multiple statistical regression analysis of visibility in Tuscon using four, five and six variables which can be reasonably attributed to causing visibility impairments over time. They contend these variables explain almost all the variance in Tuscon visibility. The analysis covers 1950 to 1976 and a discussion (not summarized) is included.
- TEP offers further explanation for the visibility impairment is due to other than the smelters.
- TEP contends the TSP level. Tuscon is highest in the center city and the level of TSP reduces further from city center. This is a large part of the visibility problem.
- Urban plumes plus natural and agricultural dust are the major source of visibility impairment in Arizona.

Comments on visibility modeling.

- SAI model is in error in calculation of atmospheric discoloration. Model uses single scattering approximation to model the diffuse sky intensity. The modeled atmosphere will show discoloration when none is present.
- There is detailed discussion of minor "errors" in the SAI model.
- There can be no modeling of visibility (especially for power plants) with SAI, PLUVU, or box, and especially as a screening tool that can be accurate.

The regulations do not address visibility/benefits - costs and urban and mobile sources.

- The 28 source categories only produce 0.3% of the total (what pollutant?) which will impair visibility.

The proposed regulations should be withdrawn and resubmitted after development of data base and review process.

Scott M. Matheson, Governor of Utah, IV-D-291

- No State more effected than Utah by visibility regulations.
- Proposed regulations delegate far too much responsibility to FLM and proceed too far on limited scientific data.
- Regulations exceed legislative intent of Section 169A.
- States are given leadership role in air quality matters.
- Trying to balance number of Federal goals and objectives is nearly impossible.
- Desire to protect mandatory Class I areas.
- Concur with phased approach.
- Use test visibility cases for BART demonstration.
- Definition of visibility impairment unrealistic.
- Can't define natural conditions.
- Objects to integral vistas.
- Disagree with effect of integral vista strategy.
- If integral vistas concept is adopted, two alternatives suggested.
  - State designate vista with FLM consultation.
  - Identification of vistas through an explicit State/Federal cooperative effort.
- Public use and perception of vista would determine its importance.
- BART deficiencies:
  - State role not clearly recognized. FLM too much involvement.
  - Cannot agree upon "reasonably attributing".
  - Moving target.
- Burden to State
  - First year cost would be $700,000 for Utah.
- Future Class I areas:
  - Regulations imply integral vistas can be identified and protected for future non-mandatory Class I areas. Can not justify 169A to redesignated areas. References to integral vistas in NSR should be omitted.

Basin Electric Power Cooperative (Upper Missouri River Basin Region), IV-D-292

Opposes the concept of integral vistas:

- "Integral vistas" is contrary to the letter of the Clean Air Act.
- The provision for FLM designating an area outside the Class I area is in effect redesignating non-federal land as a Class I federal area.
- EPA is mandating the location of new facilities farther and farther away from Class I areas. This will bring them closer to populated centers.
- EPA should limit application of the regulations.

Comments on BART:

- The nine month SIP revision period will be hard for most states to meet.
- EPA has yet to determine the relationship between emissions and visibility impairment.
- States' role in establishing a selected source list for BART is not established, and the decision can be overturned by EPA and/or the FLM.

Opposes use of the term "reasonably attributed":

- The use of this term lacks universal acceptance.
- Analysis performed will constantly be under litigation.
- By using subjective measures, EPA implies meaningful information is not available.

The reanalysis provision of BART makes a regulatory moving target.

Questions the use of visibility monitoring at the present time:

- EPA has published a guideline, but the author has not reviewed the document because it was not available.
- There is a great deal of uncertainty with the monitoring techniques.
- EPA should develop adequate visibility monitoring guidance including a "reference method".

Comments on visibility modeling:

- The present models are inadequate, and not meaningful.
- A moratorium of at least two (2) years on regulations requiring visibility modeling is suggested. Decisions regarding new sources should not be withheld.

IV-D-292 continued

Opposes Section 51.306(i) - long term strategy:

- It is unfair to consider the effect of an existing source (or even pre-August 7, 1962 source) in conjunction with a new source.
- Forcing BART on an existing source because of increased pollution from a new source would be unfair and unconstitutional.

California Forest Protective Association, IV-D-293

Opposes the need for Federal mandate of smoke management techniques particularly in states like California where an effective state program is already in place.

Opposes inclusion of the "integral vistas" concept:

- Consideration of concept goes far beyond Congressional intent.

Conference of State Manufacturers Associations, IV-D-294

Twenty-nine different state organizations have identified similar viewpoints with the Virginia Manufacturers Association, IV-D-239. Such include, for example:

Associated Industries of Alabama
Arizona Association of Industries
California Manufacturers Association

U. S. Department of the Interior, Fish and Wildlife Service,
Ann Arbor, Michigan, IV-D-295

Support the establishing of visibility guidelines, but promote two questions:

- BART guidelines are required for fossil-fuel plants of 750 MW or greater. Utilities usually propose single units of ~600 MW. Each unit then under 750 MW would not be controlled by BART. Therefore, what should be proposed is that the aggregate or combined emissions from the facility should be subject to a BART analysis.
- When will a visibility modeling requirement be promulgated for PSD permits? If not until 1983, as for monitoring, then many permits will be granted with inadequate visibility specifications. Can PLUVUE be made a required interim visibility model method?

Duke Power Company, IV-D-296

Visibility regulations should wait:

- Until scientifically sound techniques for modeling and assessment are available.
- Visibility impairment causes no adverse health effects, and it is reversible.
- Without data bases, states cannot revise their SIP's.

Comments on BART:

- The regulations are not clear whether new BART will apply upon reanalysis to sources which had previous BART controls.

Comments on Guideline "Preliminary Assessment of Economic Impacts of Visibility Regulations":

- Question the identification of Class I areas and the identification of sources.
- Company challenges the review of Marshall Station as impacting on Linville Gorge Wilderness area. This analysis was based on erroneous data.

Interstate Paper Corporation, IV-D-297

Opposed to the regulations, in that little or no adequate evidence supports the need for such measures.

- Interstate Paper named in the visibility problem to Wolf Island (Georgia). No scientific practices were probably used in the judgement made, according to this industry. Opinion is that of the Wolf Island manager. Expect modeling studies to show no significant impact on visibility of Wolf Island area.
- Question the means to determine a baseline for visibility and that there must be some provision for this to recognize naturally occurring visibility limitations.
- "Proposed rules are much too vague."

Arizona Public Service Company, IV-D-298

Supports the phased approach concept:

- The approach presented in the regulations is premature.
- At the present time there is an inadequate understanding of pollutant transformation mechanisms and pollutant transport mechanisms.
- Lack of validated modeling techniques.
- Lack of monitoring techniques.
- Lack of cost/benefit methods for alternative control strategies.
- Inadequate understanding of the human perception aspect of visibility.

The phased approach should be revised:

- Phase I - Develop necessary scientific information and technical expertise. An outlined research program is presented in 17 parts - this was not summarized.
- Phase II - Propose regulations for visibility protection. This would include SIP revisions with BART analysis and long term strategy.

Comments on definition of visibility:

- No definition is accurately presented.
- The definitions should contain definite standards.

Comments on "impairment":

- The Agency should define each indicator of impairment, e.g. color, standard person, contrast, etc.
- EPA has not adequately recognized the complications associated with the inherent variability of visibility.
- Because of the random nature of visibility indicators impairment should be defined - only if people perceived a change in the statistics of the indicator (e.g., average, range).

Comment on the definition of "Existing Major Source":

- Existing major sources which emit a pollutant not determined to affect visibility, i.e. CO, should not be subject to BART review.
- If they emit more than one pollutant, the BART review should be for only the related to visibility impairment.

Definition of "potential to emit".

- Should consider the Alabama Power decision - should be reviewed.

Definition of BART:

- Continuous emission reduction requirement is not in the statute nor is it compelled by any other statutory provision.
- Should delete reference to continuous system of reduction.
- Should apply to each pollutant which causes or contributes to visibility impairment.
- BART should take into consideration existing and/or planned pollution control equipment.

Opposes definition of "visibility impairment":

- Replace existing definition with: "Visibility impairment means a visibility condition determined or judged by visitors to Class I federal areas as being humanly perceptible and adversely causing reduction in visual range, reduction in contrast, or change in atmospheric coloration".
- A decrease in visibility is an impairment only if it is due to a controllable source or, as a practical matter, a source subject to the regulation.

The agency should delete the definition of "natural conditions" entirely:

- A concept of background visibility conditions should be developed.

Comment on "significant impairment":

- Reference to "management, protection, preservation or enjoyment" should be deleted.

Role of the FLM:

- Far exceeds the role Congress contemplated.
- Rarely have the expertise to determine the cause of visibility impairment.
- The states should not be required to consult with the FLM on the entire SIP.

BART:

- Should amend the regulations so the SIP would not hold to the 5 year requirement for installation of BART.
- Should not be affected by delays in Administrator or FLM response to an exemption request in the event the request is denied.

EPA should specify the intended scope and uses of continuous emission monitoring requirements:

- This is an excessive requirement for BART.
- Data can often be misleading and erroneous.
- This should be replaced with intermittent performance tests.
- Relationship between emissions and visibility has not been established.

Opposes the concept of "integral vistas":

- Illegally extends limits set by Congress.
- Contravenes statutorily mandated responsibilities imposed on FLM's on basis of multiple use and sustained yield of land under their jurisdiction.
- May extend to privately held land over which FLM does not have jurisdiction.
- Conflicts with establishing Class I, II and III areas under the Clean Air Act. Most areas of the country afforded Class II protection.
- State should not be required to revise the SIP each time the FLM decides to identify another area as an integral vista.
- Section 51.304(d) should be ammended: "Integral vistas identified within Class I federal areas prior to three years of the date in which a complete new source permit application is filed should be subject to Section 51.302 (c)(2)(iii)".

Monitoring:

- The Agency has delegated the responsibility of monitoring visibility in Class I areas to the FLM and responsibility of research to the states and the FLM.
- Guidance document is inadequate. 1) Methods other than the electronic telephotometer. 2) Particulate monitoring at a single point will not relate back to visibility.

Modeling:

- Validated methods must be used for BART and new source review.

Long-Term Strategy:

- The provision requiring a review of all pollutants should be revised to apply only to those regulated pollutants which contribute to visibility impairment.
- The reanalysis of BART provision is a continuing exposure of existing major stationary sources to retrofit requirements. This was not intended by Congress.
- A source once subject to a BART review should not be subject to a BART reanalysis.

New Source Review:

- Not all states have procedures which include public hearings on preconstruction permits. The procedures should be consistent with present state requirements.
- Agency should provide guidance on "adverse impact" which will include a recognition of those sources, new and modified which will not adversely affect visibility.

Comments on the "Criteria for the Identification of Integral Vistas".

- The identification of the integral vista should not be the judgement of one individual (i.e. the FLM). The FLM should only recommend an integral vista.
- A panel of observers should review and evaluate each recommendation.
- The identification process relies heavily on the FLM familiarity and/or access to legislative history of the Federal Class I area.
- Rather than an "either-or" choice on importance there should be "degrees" or priorities for fulfilling the criteria.
- There should be standardized methods for monitoring visitors and the distance they travel to see the vista.
- Terms need to be improved and refined.

Comments on the prediction of visibility degradation through model simulation:

- It is arbitrarily assumed that all sulfate particles in power plant plumes that are created are 0.08 - 1 μm which are the most optically active.

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- Most models do not allow for sedimentation of particles out of the plume nor for coagulation of particles in the plume.
- Most models assume Gaussian distribution. This often fails to represent real plumes.
- The "box model" over predicts visibility degradation.

Comments on the EPA/SAI Model:

- Employs a Gaussian Plume which does not describe the behavior of real plumes.
- Assumes: 1) Concentrations of constitutants in plume are time-averaged - cannot be used to predict instantaneous concentrations. 2) Flat terrain - incorrect for rough or complex terrain. 3) Uniform wind speed - as speed increases, Gaussian model breaks down. 4) Does not account for atmospheric chemistry. 5) Is not reliable > 20 km from the stack.

The following documents were attached, but they were not summarized since they are not comments in response to the proposed regulations per se.

1) Physical Dynamics Inc.: "Part I. An Analysis of visibility Trends in the San Juan Basin in Northwest New Mexico" for Arizona Public Service Co. "Part II, Statement on the Matter of Regulation of Visibility Impairment" for Arizona Public Service Co. (for presentation to the State of New Mexico).
2) "Some Aspects of Visibility monitoring in Southwest Class I Areas" - E. M. Roberts, Arizona Public Service Company.

National Coal Association, IV-D-299

- Relationship of draft guidelines to proposal regulations is unclear.
- Analysis of guidelines revealed some major concerns.
  - Raised significant new issues not in original proposal.
  - BART = NSPS presumption for power plants is inconsistent with 169A.
  - Leap to NSPS is contrary to "phased-in" approach.
- General Comments on Proposal
  - Visibility is reversible.
  - Visibility is aesthetic value.
  - Visibility protection will consume energy, produce adverse environmental side effects, require a great deal of capital, and impose cost on society.
  - Because of lack of scientific data, program cannot be defined.
- Timing too stringent.
- Cannot determine how impairment will be attributed to sources - more guidance needed.
- Without scientific data States will be unequipped to make trade-offs that Congress determined to be vital to the development of an acceptable visibility protection program.
- Recommend that EPA:
  - Obligate itself to develop the necessary guideline documents.
  - Direct the States to adopt visibility protection program that will require imposition of BART controls on a reasonable schedule after EPA promulgates the necessary guidance document.
- Integral vistas are at best questionable and is beyond authority of the Act. Place integral vistas before Congress.
- Process of identification of integral vistas is unacceptable.
- Concern over role of FLM to an extent is Federal land use planning.
- FLM and integral vistas will have an impact upon
- FLM because of loose definition of adverse impact is given too much power to FLM.
- Strongly disagree with definition of impairment especially with respect to contrast.
- When no major vista days are involved then they can not be significant impairment.
- BART should not be limited continuous emission reduction.
- Strongly object to integral vistas concept.
- Economic analysis needs to include cost of BART for existing sources.
- Little information is to perform detailed costs, energy demands.

Hunton & Williams, IV-D-300

- These comments represent part two of the comments as noted in comment IV-D-271.
- Under the proposed regulations, before existing sources are subjected to regulation, it must be shown that:
  1. Visibility impairment (including reduction in visual range, contrast, coloration) is reasonably attributable to the source.
  2. That current visibility is significantly impaired.
  3. An improvement in visibility is reasonably anticipated to result from a reduction in emissions.
  4. The benefits associated with an anticipated improvement in visibility are not outweighed by the costs incurred in achieving this level of visibility improvement. Those costs must also be affordable by the source.
- Lack of scientific data on visibility should require that EPA proceed cautiously with regulations.
- Agency has failed to explain how several factors which deal with the nature of the visibility are related. These factors include:
  - Powerful natural forces that dominate visibility.
  - The sources of atmospheric pollutants.
  - The observer, what he views, and his perception.
  - The statistical nature of visibility.
- A statistical analysis of when and how often certain events occur is required in order to characterize visibility distinguish significant and insignificant impairment, to value changes in visibility for the cost-benefit comparisons in BART assessments and to distinguish "adverse impacts" from insignificant impacts.
- While BART guidelines are responsive to Act, it departs from the requirement of 169A. The most serious problems are:
  1. The unsubstantiated conclusion that the revised new source performance standards (NSPS) level of control will typically reflect the appropriate level of BART control;
  2. Failure to provide adequate guidance for attribution of visibility impairment to an individual source;
  3. Failure to provide adequate guidance for determination of when visibility impairment is significant;
  4. The inadequate nature of EPA's interim visibility monitoring and modeling guidelines.
  5. Certain technical problems with the content of the BART analysis, including the methodology for analyzing control technology costs and for comparing the costs and benefits of additional control; the suggestion that states take into account Phase II visibility

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impacts in making Phase I BART determinations; and the failure to give any guidance for weighing the costs and benefits of visibility control.

- Presumption that BART equals NSPS is not supported by either the Act, the record in this rulemaking or the record of NSPS.
- Focus of BART is on existing facilities and must consider current capabilities.
- Costs are to be considered in both BART and NSPS but the results are likely to be different in each case. Additionally, cost vs. benefits of visibility protection are irrelevant to setting NSPS.
- NSPS at most represents a ceiling.
- Definition of visibility impairment is defective because EPA fails to provide adequate guidance on the meaning of visual range, contract, coloration and natural conditions.
- Use of monitoring and modeling must be based on comparable definition of humanly perceptible change.
- Agency must explain authority for using "contrast".
- EPA must explain basis and purpose for incorporation of terms "natural conditions". How can EPA measure and characterize natural conditions.
- Guidance needed on reasonably attributably.
- EPA's proposals on visibility monitoring are premature.
- Monitoring guidelines suffer from a variety of fundamental flaws. Need information on:
  - O/M.
  - Data handling.
  - Calibration.
  - Quality assurance.
- Guideline more directed at monitoring regional haze. Also narrow in perspective--only monitors that are on the market.
- Many assumptions in guideline are not justified. No information on monitoring for chemical species and particle size in terms of a distribution.
- EPA has identified five factors which affect significance of visibility impairment, but has offered no guidance.
- Need more guidance on using photographic techniques.
- Several major modeling issues remain unresolved.
  - Models are unvalidated.
  - Methodology for relating model-calculated visibility parameters to humanly perceived visibility is large hypothetical.
  - Methodology for relating model calculations to impairment and to improvements has not been adequately discussed.

Modeling Workbook

- Four major issues
  - No discussion of the role of human perception or its relationship.
  - Too complicated--discussion on frequency of occurrence is extremely confusing.
  - Need to discuss assumptions.
  - Level 1 screening relies on unsupported assumptions. Level 2 also relies on unsupported assumptions but also is flawed in its reliance on personal judgements in selection of input parameters, its focus on worst-case impact scenarios and its recommendation that Level 1 be used when meteorological data are unavailable. Level 3 guidance is not offered in workbook.
- Users manual is generally too complicated and inadequately documented.
- Visibility model should not run beyond 10 km in rugged terrain.
- User's manual does not provide sufficient guidance to ensure that plume chemistry is adequately considered.
- The atmospheric optics also have several defects.
  - Sensitive to background visibility.
  - Does not accurately portray human visual perception.
  - Relies on incompletely understood optical properties.
- Models should be withheld from the regulatory context until they can be validated.

BART Guidelines

- References to Phase II consideration in BART should be dropped.
- Limited technical knowledge should cause EPA to reconsider BART in Phase I.
  - Inadequate record.
  - Plume effects are especially sensitive to "significance" factors.
  - Need guidance on comparison of all costs with benefits of visibility improvement.
- Several problems still exist in BART guideline which are discussed at length in Stearns-Roger and KVB reports. Basic problems are:
  - Additional work should be done to clarify the importance of the cost dimensions.
  - Consideration of retrofit costs.
  - Guidance on selecting and costing different types of ESPs and baghouses.
  - Further elaboration can be found in KVB and Stearns and Roger reports.

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- EPA's and guideline documents provide inadequate guidance for the States to develop a reasonable source control requirement.
- Many rulemaking issues are unaddressed and implementation issues still exist.
- All guideline documents should be revised.
- May 22 regulations indicated that EPA was to prepare a guideline for NSR. To date, no guideline has been offerred. NSR program is deficient.
- FLM must carry burden of proof that a new source will have an adverse impact before State is required to take action.
- Guidelines needed on "adverse impact".
- Need more guidance on approvability of SIP's for long term strategy.
- Delete excessive reporting requirements.

Integral Vistas

- Guideline does not provide precise, objective or reproducible guidelines for the identification of integral vistas.
  - Procedures are not clear.
  - Fails to require documentation for the decisions that will be made.
  - Explain how factors that are to be considered must be weighed when decisions are made.
  - Improperly preclude the accessibility of a vantage point from FLM's consideration of natural visibility conditions.
  - Subjectivity of integral vista guidelines are reflected by use of undefined nebulous terms such as "international of national significance", "predominant distinctive source quality", "visual resource specialist".
  - The weakness in guideline suggests UARG's reading of Act is correct. Had Congress intended such a concept it would have been expressly stated.

Regulatory Analysis

- ICF report only addresses one aspect of proposed regulations--BART for existing sources. It fails to consider:
  - Cost of controlling sources which may be included in long term strategy.
  - Costs of controlling new sources under regulation at a level more stringent than under PSD.
  - Additional administrative costs.

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- ICF report also doesn't address two significant aspects of BART regulations:
  - Inclusion of sources which impact "integral vistas".
  - Establishment of a presumption that BART equals NSPS unless justification is presented to the contrary.
- ICF report employs "screening" technique to identify sources potentially subject to regulations. This analysis is flawed because:
  - The ICF approach treats the potential impact of a plume at the center point of a Class I area. May understate seriously the potential impacts of the regulations. Clearly ignores the integral vista concept of the proposed regulations.
  - The ICF approach does not take into account varying meteorological conditions, a significant factor in determining the impact of a plume. May be an overstatement of potential visibility impacts.
  - The screening device used incorporates the Gaussian plume dispersion model. While the Gaussian Model was developed for transport distances on the order of 10 kilometers, it is used here to model effects over hundreds of kilometers.
  - The chemical reactions component of the visibility screening device used by ICF fails to account for the state or form of final reaction products as a function of regional climatological conditions, and ignores some significant chemical reactions.
  - The screening device is based on modeling a fixed, unrepresentative plume-observer-sun geometry.
  - The screening device ignores differences in terrain typical of the East versus the West, thus rendering any conclusions based on this analysis suspect.
- ICF ignores benefit aspects of regulation.
- Steams-Rogers makes several recommendations regarding Retrofit Guidelines for Coal Fired Power Plants by Pullman Kellogg.

General

- EPA should evaluate a more representative selection of plant sites in determining the accuracy of BART methodology.
- Such site specific factors as fuel sources, regional wage and productivity, and land availability should be addressed in the Pullman-Kellogg report.
- Costs associated with down time required for retrofit should be more adequately addressed.

IV-D-300 continued

- Costs associated with "remaining useful life criterion" should be addressed.
- Effects on cost due to escalation should be addressed.

NO_x Control

- In evaluating retrofit applications utilizing low excess air (near theoretical), the potential for tube wastage and its associated costs must be considered. In addition, slagging and superheat temperature control problems resulting from changes in excess air have cost implications which must also be considered.
- The BART document should clearly qualify retrofit by stating that NO_x reduction is totally uncertain due to the number of factors involved, including furnace size, burner design, coal type, variability, etc. There is no indication of what recourse a utility has if the retrofit is ineffective.
- The BART document should indicate, if possible, how the state is to determine existing boiler NO_x levels in order to determine current NO_x production.
- The EPA cost module estimates only the least expensive aspect of the NO_x retrofit, i.e., the cost of material and labor to install NO_x control devices. It should address such items as derating of the boiler, operational problems, and replacement power cost which will probably far exceed the initial first cost of NO_x retrofit.
- The EPA document should provide a means for the inexperienced engineer evaluating BART for NO_x control to estimate the impact of the aforementioned items as well as those filed by UARG at the NAPCTAC meeting of February 27 and 28, 1980.

Particulate Control

- Electrostatic precipitator sizing is based solely on coal sulfur content. Although coal sulfur content is a significant parameter for sizing cold-side ESP's, hot-side ESP's are nearly insensitive to sulfur content. Ash characteristics, composition and particle size distribution also affect fly ash resistivity and, consequently, ESP sizing. For hot-side precipitators, the ash sodium content is probably the most important variable. The EPA draft report should discuss these other factors in ESP sizing, particularly for hot-side EPA's, and explain the site specific variability of ESP sizing criteria.

- Electrostatic precipitator pressure drop is stated as 1/2 inch WG. This is too low if inlet and outlet nozzles and flow distribution devices are included. ESP pressure drop should be 2 to 3 inches WG and the power required for this pressure drop should be included in the ESP energy requirements. This change will increase ESP operating costs.
- The draft report does not address flue gas conditioning as a retrofit option for improving existing ESP removal efficiency. In certain cases flue gas conditioning represents a viable, cost-effective approach for retrofit particulate control and should be discussed.
- Fabric filter pressure drop is stated as 5 inches WG. This pressure drop is acceptable for the bags only, but total flange-to-flange pressure drop would be 6 to 7 inches WG. This would increase the fabric filter cost for power due to pressure drop by approximately 20 to 40 percent.
- The ash handling system applicable to both ESP's and FF's is sized based on number of modules (hoppers) only. Total quantity of ash to be handled is an important parameter for ash handling system design and should be discussed. The possibility that additional fly ash storage capacity may be required when increased retrofit particulate control is incorporated should be discussed.

SO_2 Control

- The design criteria uses a base case design coal of 0.5 percent sulfur. Cost module extrapolations are then made for coal sulfur contents differing from the base case. This results in rather extreme extrapolation for high sulfur coals (3 to 5 percent). It would be more accurate to assume a more representative coal sulfur content for the base case (e.g., 2 percent sulfur) or provide an additional base case for higher sulfur coals (e.g., 4 percent sulfur).
- The scrubbing system includes a venturi scrubber preceding a spray tower. The use of a venturi ahead of the spray tower is not typical and results in an extremely high system pressure drop (16 inches WG). Elimination of the venturi from the base case would reduce system pressure drop to 7 to 10 inches WG (excluding pressure drop for unusual duct configurations or long runs of ductwork). This change would decrease electrical operating costs for Booster Fans by about 30 to 40 percent.

- Filter cake discharge solids content is assumed to be 70 wt %. Filtered solids content of 70 percent is acceptable for a slurry that is almost completely oxidized (whether from forced oxidation or for a low sulfur coal application) but a more representative value would be 50 percent. This would increase filter sizing and cost and disposal pond sizing and cost by approximately 40 percent.
- The limestone ball mills and lime slakers should be spared to ensure system reliability. This change would increase feed systems cost by the increased equipment cost and associated labor, material and factored indirect costs.
- The approach to sludge disposal is questionable. Assuming the use of 50 foot depth ponds completely ignores the geotechnical and hydrologic site specific conditions which affect pond design. Also, no operating costs are assigned to sludge disposal. At sites where space limitations or geotechnical or hydrologic conditions prohibit deep on-site ponds, trucking to a landfill may be required resulting in significant sludge disposal operating costs. The retrofit guideline document should provide means for determining the sludge disposal technique applicable and provide guidance for associated operating costs.
- The sheer number of SO_2 section cost modules (12 modules for feed systems alone) could be reduced and would improve applicability with little sacrifice in accuracy of the cost modules presented in the document.
- The report does not adequately discuss lower levels of SO_2 removal than the NSPS of 90 percent removal for the wet scrubbing systems. The only mention made is in extrapolation equations for cost module adjustments. Lower levels of removal should be discussed more completely.
- Most existing power plants have stacks which would not tolerate addition of a wet FGD System. An additional cost module should be added to account for the addition of a new chimney with the FGD System.
- Alternate technologies such as coal cleaning or fuel switching should be addressed as a possible process alternative for lower levels of SO_2 removal.

KVB Report

- BART determination must represent a coordinated effort among the State, utility, combustion consultants and boiler manufacturers as far as NO_x is concerned.

Stearns-Roger Report on BART Guideline

- Although many earlier comments on Pullman-Kellogg document have been addressed, the following comments still apply:
- Although derating is discussed as an undesirable NO_x control technique, forced derating resulting from adverse side effects caused by the implementation of other NO_x control methods is omitted. The potential cost impacts of forced derating must be addressed.
- The document suggests the use of expert assistance for determining the impact of NO_x control adverse side effects in an actual design case. It neglects, however, to recommend the same assistance during use of the cost estimating procedure. Without this assistance during this stage of cost development, large errors could be made.
- Sludge disposal charges should be estimated and included in the SO_2 control costing procedure.
- Additional guidance is needed to aid in the selection of a hot-side ESP, cold-side ESP, or baghouse for particulate control.
- Guidance is needed concerning installations with existing controls.
- Sizing data for ESPs is too simplified and could result in sizeable errors.
- No guidance is given on incorporating site-specific factors into the costing procedure.
- No guidance is given which aids in the selection of one type of FGD system rather than another for costing.
- No direction is given as to when new stack costs are to be incorporated in the estimate.
- A means of adjusting the costs for variations in remaining useful life of the source is needed.

National Economic Research Associates, Inc. Report on Economic Impact Assessment

- Economic impact has two deficiencies:
  - Study only analyzes a portion of the costs.
  - Study ignores completely how these costs compare to benefits which may be attributed to the regulations.
- Also there are two shortcomings:
  - Study violates minimal Congressional intent.
  - Did not evaluate the regulations as proposed.
  - Study cannot provide guidance to EPA in formulating the regulations.
- Study underestimates the potential costs.

IV-D-300 continued

- **By structuring study so that it excludes consideration of much of the proposed regulations and the benefits of visibility improvement, EPA has given every reason to doubt the sincerity of its attempt at performing an economic impact assessment.**

Coleman Furniture Corporation, IV-D-301

Objects to the proposed regulation:

- Questions the need for additional restrictions beyond existing PSD and nonattainment area regulation.
- Delete "integral vistas". This outsteps Congressional intent and from Section 169A gives no authority to regulate outside the Class I areas.
- BART is a never ending procedure and should have a massive adverse impact on facility operating costs. Feel BART should only be applicable once.
- Regulation only orients toward emissions from stationary sources. Mobile sources are also contributors to visibility problems.
- A thorough economic analysis should be made of the effects from the proposed regulations. Besides the high cost to industry from BART, the expense on state and government to monitor, manage, and implement these regulations will be high. Curtail industrial growth.

Southern California Edison Company, IV-D-302

The method of selecting sources in remote areas is very subjective:

- Adequate modeling techniques are not available.
- The author feels it will be very difficult to distinguish between effects from the Los Angeles and Las Vegas urban plumes and a stationary source in the Southwest.

It may be impossible to site a new source in Southern California:

- Increased number of Class I areas will preclude construction of a new source.

EPA should moderate its schedule for promulgating the final regulations until 1985.

The author presented data on the Mohave plant and rate of formation of secondary particulates (sulfates). They calculated a formation of 500 lbs/day of sulfates to the atmosphere. The author also calculated a formation rate of 100,000 lbs/day for the Los Angeles Basin. However, this calculation was based on some far reaching assumptions: (1) the TSP on a typical day is 200 $\mu g/m^3$, (2) 50% of all TSP is in the light scattering range (mass media diameter of 0.5 micrometers), and the average sulfate concentration in the Los Angeles Basin is 20 $\mu g/m^3$.

Sierra Club, IV-D-303

- Support EPA's regulations.
- Inhibit FLM role in identifying and protecting integral vistas.
- Want EPA to review December 31, 1985 deadline for identification of integral vistas by June 30, 1985.
- Must sort out EPA, State and FLM role in NSR.
- Regulations avoid cooperative effort between EPA and FLM on determining adverse impacts.
- Regulations should state that if EPA and FLM agree that facility will cause an adverse impact, State must deny permit.
- Want numerical index developed to measure quantitatively changes in visual perception.
- Regulations should call upon FLM to use all available discretionary powers to ensure his affirmative responsibility. Require FLM to deny permit applications.
- Support BART analysis in 51.302(c)(4).
- Support Long-term strategy. Want EPA to promulgate fine particulate standard.

Florida Forestry Association, IV-D-304

Opposes the proposed regulation's application to prescribed burning:

- Alternatives of mechanical and chemical vegetation control are too costly or drastic from health viewpoint.
- Without prescribed burning, dangerous concentrations of fuel on the forest floor would increase the incidence of wildfire, which is extremely costly both to the safety and economy of the citizens of Florida.
- Florida has effective rules and laws which regulate the use of prescribed burning in the State.
- Visibility impairment from prescribed burning is a temporary condition and is an acceptable trade-off compared to uncontrolled wildfire.

Evans, Kitchel, and Jenckes, IV-D-305
(Representing Phelps-Dodge)

Requested copies of guideline documents, but they only arrived on August 22, 1980.

- Detailed comments will follow.

State of Montana, IV-D-306

- Agrees with EPA's phased approach.
- 30 days for FLM review is inadequate for FLM to provide a meaningful review need to notify FLM even before complete permit application is received.
- State and FLM should coordinate their visibility monitoring activities.
- Not sure that concept of integral vistas is authorized under the Act but concept behind integral vistas is sound.
- Need good smoke management program. Montana has one of the best. While prescribed burning is definitely a problem, it can be minimized with an effective smoke management program.
- Need training of FLM personnel.

Merck and Company, Inc., IV-D-307

Urges EPA to delete the integral vista provisions since they impose mandatory Class I area requirements on sources outside a Class I area, from the final regulation.

Oppose application of BART to pollutant-emitting facilities which add new boilers after August 7, 1962 and which minimally impact visibility:

- Application of BART to stationary sources constructed after August 7, 1962 will encourage companies to operate older facilities exempt from BART with more significant impacts on visibility. Recommended that EPA provide a limited period of exemption from BART review for sources subject to NSPS or BART requirements. Here EPA should then consider a provision which requires the state to consider the adequacy of existing controls satisfying NSPS or BACT in determining BART.

State of New Mexico, IV-D-308

- Find regulations difficult to enforce.
- Definitions for visibility impairment and natural conditions need further clarification. Need method for determining "humanly perceptible change".
- Interstate problems and visibility could involve several state, RO's state, coordination, decision making, etc. and agreements would be precluded within the 9 months allocated for SIP development and submittal.
- Future BART reviews could negate previous interstate agreements.
- State lacks budget and resources to provide adequate Federal/State consultation.
- 90 day period to assess those areas with visibility problems is unrealistic.
- Integral vistas only established are public notice and hearing with State participating in the decision.
- How will states develop a SIP for long-term visibility improvement if the methodology will undergo revision (humanly perceptible change to models, etc.).
- What assistance will be available from EPA to assist State in conducting BART analysis?
- Who will train visibility observers?
- States may not have legal authority to require sources to monitor visibility. Could take 1 to 2 years to obtain this authority.
- "Adverse impact" for vague-leaves too much to be interpreted.
- Guidance on visibility improvement expected as a result of NSPS.
- Reanalysis of BART for those sources which have been controlled should not be required.
- Long range strategy should be dropped until regional haze component is determined.
- Too much power in regulations for FLM.
- Difficult to develop SIP long-range projections if BART guidelines are changed.

Mead Corporation, IV-D-309

Adopts and incorporates the views of the:

- American Paper Institute: National Forest Products Association, IV-F-8.
- National Council of the Paper Industry for Air and Stream Improvement, Inc., IV-?-?.

Believes that the pending proposal exceeds authority granted to Agency by Congress and outsteps original Congressional intent.

Atlantic Richfield Company, IV-D-310

Comment on BART:

- The BART guideline fails to examine the trade-offs between BART and visibility.
- None of the supporting documents address the cost vs. effect issue.

The visibility program outlined in the "Visibility Monitoring" guideline is more than is necessary.

- For an isolated source, only a telephotometric instrumentation and a documentation camera are necessary.
- Other data is valuable, but if it is not measured across the optical path it cannot apply to the source.
- Nephelometer data and particulate data collection for the elevated plume is impracticable.
- "Visual range is useful...to the lay person" - EPA does not consider this. The Act is intended to protect visibility for the lay person.
- EPA is proceeding to regulate in a technical area without a complete plan, i.e. "radiance measured at 550 mm... Data gathered at other wavelengths...asses vista color... when EPA has determined the most appropriate formula".
- Statistical Analysis - "visual range should be plotted as a log normal probability plot". How will data be interpreted? What is the significance?

The computer model cannot at this time predict visibility in very complex terrain.

Opposes the concept of "integral vistas":

- Contradicts the express language of Section 169A of the Act.
- EPA has designated a "buffer zone".
- An unlawful geographical extention of the visibility regulations.

Western Regional Council, IV-D-311

Scientific understanding of visibility is limited.

- More research should be done prior to implementation of the regulations.

Definition of visibility impairment:

- "humanly perceptible" is too subjective.
- There is no isolatable point of perception.
- "Natural conditions" will vary greatly.
- EPA does not have a scientific definition.

Supports the phased approach.

- Initiation of plume blight control as first phase may be premature - lack of ability to attribute impairment to a single source.

BART Determination:

- EPA should consider carefully economic ramifications before imposing this financial burden.
- Reanalysis of BART was not intended in legislative history.
- State is to have primary role for BART under the legislation.

New Source Review Comments:

- No subsequent BART requirement should be imposed on a permitted new source.
- It would be unreasonable at a later date to determine the predictive techniques were inaccurate and retrofit should now be required.
- It is unclear in the regulations when monitoring must take place.

Comments on the role of the FLM:

- FLM has sole responsibility for designation of integral vistas - no state participation is a problem.
- Only the states can reclassify an area as Class I.
- FLM has no veto over authority of the state in redesignation of classification for nonmandatory Class I areas.
- Identification and BART of existing sources is supposed to be left up to the states.
- Role of FLM should be revised in the proposed regulations.

IV-D-311 continued

Opposes the concept of "integral vistas".

- The legislative history does not support this concept.
- Statutory language does not support this concept.

Opposes the inclusion of nonmandatory Class I areas as subject to the proposed regulations.

- Section 169A applies to mandatory Class I areas only.
- For areas designated Class I pursuant to Section 164, only PSD regulations would apply.

Pacific Gas and Electric Company, IV-D-312

Opposes the definition of "visibility impairment".

- The use of "humanly perceptible change" is subjective.
- How can visibility data be adequately acquired and quantified?

Opposes the concept of "integral vistas".

- The time frame for identification of integral vistas is too short.
- No clear guidance is given as to how an integral vista is determined.
- Fugative dust from a road should not be included as subject to integral vistas.

Comments concerning BART.

- BART must be clearly defined.
- There must be a limit set on the reanalysis of BART where BART has already been applied.

Visibility impairment is not irreversible.

- Postponement of these regulations will cause no harm.
- Further studies should be made.

National Coal Association, IV-D-313

Opposes the concept of "integral vistas":

- Was not part of Congressional intent.
- Method of selection gives too much power to FLM's.
- Could have major impact on energy development. Especially true since FLM can identify additional sites for integral vistas.
- If EPA continues with integral vistas it should make each one subject to format rulemaking process.

Comments on definitions:

- Opposes definition of "visibility impairment". Contrast should not be included.
- The definition for "significant impairment" should include some allowance of the amount of visitor use involved in the area.

Section 51.303(a)(1) does not allow adequate exemptions as specified in the Act.

Lack of an objective economic analysis for BART.

The denial of a new source permit if the FLM rejects it is not what Congress intended.

Visibility is reversible, and is an aesthetic value.

Comments on BART guidelines.

- Requiring states to adopt NSPS for power plants is unjustified.

Pacific Gas and Electric Company, IV-D-314

Comment on the "Workbook for Estimating Visibility Impairment".

- How can EPA claim this is the easiest and most accurate model available since the model has never been validated?
- Due to the time constraints for the commenting period detailed review of the guideline was not possible.
- The model is only accurate up to 50 km. Potential impacts beyond 50 km will have to be evaluated.

Brunswick Pulp and Paper Company, IV-D-315

Opposes the definition of "visibility impairment".

- The definition should be changed to "any humanly perceptible change in visibility which interferes with management, protection, preservation or enjoyment of Class I areas, and is solely caused by man-made sources".

Questions the method of identification of causes of visibility impairment:

- The proposed regulations rely too much upon visual observation, and not enough upon objective monitoring techniques.
- An example was used - the preliminary assessment of Wolf Island, Georgia by the National Park Service in 1978. Some of the assertions in the report were based on invalid assumptions. The example was attribution of haze to inland sources, but the prevailing winds were off the ocean.

There should be a consistency of application of criteria for assessing impairment:

- A panel of 25 to 50 members should make evaluations.
- The evaluations should be supported data or information from measuring instruments.

The public should participate in evaluating visibility:

- Since visibility is mainly for enjoyment of public lands, the public should be involved in evaluating visibility impairment and integral vistas.

Comments on a Natural Baseline:

- Assumptions may be made that in the absence of man (and except for) the visibility would be perfect. This is simply not the case because natural pollutants are present.
- The regulations should somehow prevent this assumption from being made.

Department of Conservation and Natural Resources, Division of Environmental Protection, State of Nevada, IV-D-316

Opposes the proposed method of identifying integral vistas:

- The designation of an integral vista should not be up to the FLM or EPA, but up to state or local officials.

The proposed regulations are too broad and with too much federal authority.

- Rather than saying no visual impairment can occur, the regulations should define what amount of impairment would interfere with the public enjoyment of lands.
- It is the state's sole responsibility to select impacting sources, and determine BACT.
- Undue authority has been given to the FLM and EPA.

The proposed regulations leave some unanswered questions:

- Can a reliable visibility monitoring system which can be used in all Class I federal areas be developed?
- Can a suitable model be developed?
- Can the problems of local meteorology of complex terrain associated with western mountains be resolved?
- Can chemical changes of the pollutants in the atmosphere be understood and accommodated in the above areas?

Environmental Research & Technology (ERT), IV-D-317

- Propose a visibility model to replace SAI's PLUVUE.
  - model is comparable to PLUVUE but supposedly "more applicable and easier to use for regulatory purposes."
  - no other real criticisms or comments on PLUVUE.

E. I. du Pont de Nemours Company, IV-D-318

Urges EPA to delete Section 51.306(d)(2) or to modify this section (dealing with long-term strategy) to allow States sufficient flexibility to review new major emitting facilities and major modifications on a basis that would consider the local circumstances.

- Requirement for States to conduct their visibility impact reviews strictly "in accordance with such guidance as is provided by the Agency", is a narrow restriction. No single guideline can address all possible situations.

Associated Oregon Industries, IV-D-319

Section 169A(e) was totally disregarded in the Federal Register's publication of the proposed visibility rules.

- This section prohibits the protection of "integral vistas" by the use of "any automatic or uniform buffer zone".
- Language within this Section 169A(e) needs further clarification.

Disagrees with integral vistas concept, stating this was not Congressional intent in the Act.

International Assoc. of Fish & Wildlife Agencies, IV-D-320

Urges cautious approach in promulgating these regulations:

- Proposed regulations should not be drawn so as to unduly regulate those lands of smoke producing fires that are essential to certain forms of land and wildlife management.
- Regulations should recognize positive aspects of prescribed burning as well as the ephemeral nature of smoke emissions and make a comparison as to the effects on the Class I areas.

Department of Energy, IV-D-321

Note from docket regarding comment IV-D-325 which was sent directly to OAQPS. Comments are summarized under IV-D-325.

Duke Power Company, IV-D-322

Plans to comment, but they have not yet (August 22, 1980) received copies of the guideline documents.

Ted H. Meredith, Vice President Forestry and Environmental Affairs, Southern Forest Products Association, IV-D-323

General Comment:

Opposes the regulations because of possible regulation of prescribed burning.

Specific Comments:

- EPA does not have authority to regulate prescribed burning.
- Regulations in regard to prescribed burning should allow the states to decide whether it is necessary to consider smoke management techniques.
- Control of prescribed burning will increase the cost of lumber, plywood, paper, and housing. It is inflationary.
- Includes a copy of "Fire in the Management of Forests of the Southern Region."

Potlatch Corp., IV-D-324

Support the general concept of visibility protection in Class I federal areas:

- Support phased approach.
- Support the public hearings and workshops held by EPA.

Opposes regulation of prescribed burning:

- EPA exceeded its statutory authority in writing this regulation.
- Prescribed burning reduces the risk and incidence of wildfires.
- Produces less smoke than wildfires.
- Increases productivity - forest, site preparation for seeding and planting, weed control, and insect control.
- Enhances wildlife habitat.
- Better than chemicals and mechanical means.
- EPA is considering banning 2.4.5-T. If this happens, it will eliminate the chemical method of weed control.

Comments on the use of forest residues as alternate energy sources:

- More energy may be used to transport and/or process the wood residues than the residues will produce.
- More wood residues are converted to consumer products.
- Conversion to energy may not reduce smoke emissions. Especially true when burned in a home stove or fireplace.

If EPA does decide to regulate prescribed burning - the following comments are made:

- Postpone prescribed burning regulations until after Phase I.
- Perform a cost/benefit analysis.
- Consider smoke from prescribed burning part of the "natural" or baseline visibility impairment.
- States should have the option of deciding whether additional smoke management techniques are necessary.
- EPA regulations should be coordinated with the state, private land owners, and other federal agencies.
- Prescribed burning should be separated from BART and new source review.

Opposes the concept of "integral vistas":

- Was not allowed for in the Act, and it was not intended by Congress.
- This would cause enormous and unjustified economic and other environmental problems.

IV-D-324 continued

- Proposed sections dealing with integral vistas should be deleted from the regulations.

Opposes the role of the FLM in the regulations:

- The FLM has more authority in the regulations than is given by the Act.
- The FLM is given decision making authority, in the Act, only in the "exemption" section.
- The regulations give the FLM veto power over areas to be designated Class I.
- FLM are not qualified to make technical air pollution decisions.
- Role of FLM should be reduced to consultation except as specified in Section 169A(c)(3) and Section 165(d)(2)(c) of the Act.

The author finds the BART sections confusing and inadequate.

- They appear to be premature.
- They might require control on sources who have recently installed controls.
- Revisions are necessary to BART.

Comments on the New Source Review Requirements:

- FLM is given a major role in the permitting process (and should not be).
- There are no clear specifications or guidelines on how a new source will be identified or controlled.
- Lack of valid monitoring techniques make these regulations premature.
- NSR regulations should be postponed.

Comments on the monitoring of visibility impairment:

- EPA should revise Section 51.305 to make it clear the application of visibility monitoring or modeling techniques will not be required until they have been validated.

Comments on definitions:

- The definitions are not well coordinated with the Act.
- "Natural Conditions" - prescribed burning should be included in this definition.

IV-D-324 continued

- "integral vista" should be stricken.
- "Potential to emit", "fugative emissions", "visibility impairment", and "significant imapirment" definitions are inadequate.

The Economics Impact document should be revised:

- It should thoroughly evaluate all socio-economic-energy-environmental costs and trade-offs involved.

Department of Energy, IV-D-325

Comments represent preliminary comments on visibility support documents. Emphasize preliminary.

- 30-day comment period inadequate to review substantial material.

BART Guideline:

- Visibility improvement balanced against cost, energy and other environmental effects.
- No evidence that this balancing is taken into account in this document.
- Cannot agree that BART equals NSPS.
- However, agree that BACT could equal NSPS.
- Wide degree of visibility improvement may result from applying BART. Therefore wide range of costs. BART should be case-by-case.
- EPA's recommendation that BART equal NSPS is at odds with balancing requirement of statute.
- Disagree with that control requirements for SO_2 under Phase II should be considered when Phase I requirements for particulate matter or set because no guidance has been provided to determine whether or how much SO_2 control might be justified.
- No economic assessment of Phase II other than 3 power plants.
- Believe it is questionable to require a system costing over 10 times that needed in Phase I in order to avoid inefficient Phase II.
- Phase II control for SO_2 must be coupled with discussion of long range transport. Phase II should be discussed in larger context.
- Cost information is not well documented.

Visibility Monitoring:

- Generally good.
- Telephotometer wavelengths at which measurements are taken are not same as used in PLUVUE.
- Only requires limited meteorological monitoring. With data collected it will not be possible to describe adequately plume behavior in complex terrain.
- Need local mixing depth information.
- Should include human perception monitoring to facilitate validation and use of psychophysical models.

IV-D-325 continued

Workbook for estimating visibility impairment:

- Concepts underlying assessment are sound. Represent an improvement over previous procedures.
- Serious shortcomings. Many assumed characteristics of impairment are based not on field data but PLUVUE model.
- Errors in PLUVUE model. Gas-to-particle chemical conversion predicts conversion rates two orders of magnitude lower than measured in power plant plumes.
- Concern with conclusion that SO_2 is regional problem. It is not well-founded because it relies on the assumption that SO_2 conversion rates are so low that appreciable sulfate is not produced until many km's downwind.
- Inadequate guidance for Class I areas in complex terrain.
- Impairment perception thresholds for contract change and color change are probably too high and conflict with other documents.
- DOE contractor has reviewed codes associated with PLUVUE and has revealed numerous bugs with some of output and impact assessment guidance is suspect.

Department of Interior, IV-D-326

- Express serious reservations about certain provisions of the regulations unless final regulations address their concerns.
- States have primary authority to remedy existing and prevent future impairment.
- FLM however have a major role.
- FLM has clear responsibility to consider only the protection of air quality related values. Not to consider non-air quality factors.
- In NSR the FLM is to demonstrate, to satisfaction of State, any adverse impact. If satisfactory demonstration State may not issue permit.
- Concur with proposed definition of visibility impairment. Adverse impact is case-by-case assessment.
- FLM's responsibility to prevent issuance of a permit under NSR upon satisfactory demonstration of adverse impact within Class I area and does not extend to values outside the boundaries of Class I areas where others including DOI may have a variety of interests.
- State must have opportunity to consider and balance several factors including non-air quality welfare reading a decision to approve a new source.
- DOI also has interest and wishes to express concerns on sources even where no adverse impact has been demonstrated. State must afford FLM right to full expression.
- Have reservations about whether current regulations provide for balancing of factors with respect to integral vistas outside Class I areas.
- Request EPA to reexamine legal premises for protecting integral vistas.
- Finding of FLM of degradation of an integral vista must be accorded great weight, since State's decision must assure reasonable progress toward visibility goal.
- Vistas are important since increments may not protect areas outside Class I areas.
- State decides appropriate level of protection of vista is SIP.
- Current definition of integral vistas will not provide opportunity to protect all vistas need to include out-to-in vistas also. However, sweeping views of mountain ranges from urban areas would not be identified as out-to-in vistas since this would not be related to visitor experience of the park itself.
- FLM has lead role in identifying vistas. Thus "criteria for identification of integral vistas" is not needed FLM will use their procedure.
- Support definition of visibility impairment as "any humanly perceptible change...".

- EPA should continue to place high priority on development of technical tools to measure impairment.
- Urges finalization of monitoring and modeling guidelines.
- Many detailed technical comments regarding the wording of the regulations and preamble to compliment the major concerns raised above.
- Should be a requirement for interstate cooperation.
- Extend deadline for submitting SIPs.
- Do not restrict to pollutant regulated under Act any pollutant.
- Significant impairment should consider visitor experience on "peak visitor use days".
- Recommend definition of the Indian Lands.
- Need criteria for reasonable progress.
- Natural conditions too vague, should clarify how certain factors such as diurnal and seasonal variability will be considered.
- Clarification:
  - Are synfuel plant fuel conversion plants?
  - Do regulations apply to surface mines by themselves or in combination with other facilities.
- 51-307 NSR:
  - Recommend FLM be provided a copy of application.
  - 30 days inadequate.
  - If FLM takes longer than 30 days State need not consider.
  - Require consultation as soon as source contacts state--earliest possible time.
  - Regulations need to distinguish between case where source's impact will not cause the Class I increments to be exceeded.
- Regulations must require State before issuing permit to a source whose emissions exceed Class I increments to receive certification from FLM.
- Clarify role of impact on Indian Lands.
- More guidance should be provided on what constitutes an adequate FLM demonstration.
- FLM should develop integral vista criteria.
- Initial 90 day period for identification of vistas is inadequate.
- Integral vistas identified after initial 90 days would not be protected or for that matter listed until mid-1985.
- Not clear what December 31, 1985 deadline represents - whether FLM's authority to identify expires on that date or whether the State need not include those vistas which are not in the plan by December 1985.
- Proposed regulations seem to suggest that integral vista identified by FLM but not yet in State plan is still protected if it has been identified prior to the calendar year in which a complete new source permit application is filed. These seem unclear.

- Procedures need to be developed to incorporate integral vistas into SIP in a timely manner.
- Regulations seem to say State has the discretion to disregard vista identified but which has not yet been listed. Does 51.302(C)(2)(iv) providing for a State appeal to Administrator apply in this case? What are the consequences of the State failing to provide protection to such an integral vista? What action, if any, can the FLM take to prevent the issuance of a permit when an integral vista is not provided analysis and/or protection? What action must the Administrator take to prevent such a permit from being issued?
- Problems with State determining BART. These include:
  - the State may avoid having to ever conduct BART analysis by merely concluding that the impairment is not reasonably attributable to the alleged source;
  - the State's determination appears to be final and is reached prior to it's having to conduct any analysis;
  - the proposed regulations appear to provide no opportunity or mechanism for appeal of the State's determination by the FLM to the Administrator.
- Section 51.302(c)(4)(ii) should be rewritten to clearly require State to analyze BART for each source recommended by FLM unless States provide written determination that BART analysis is not necessary.
- Regulations should require State outline BART process and list of sources to be covered.
- 51.306(e) with regard to BART grandfathering has several deficiencies.
  - Sound reason for precluding a source from BART requirements as new technology becomes available, this is unnecessarily sweeping in its applicability.
  - It is not clear how the regulation defines "new technology;" i.e., does it include new improvements in existing technology? Does the term include new processes, techniques or work practices? The answer to each of the above questions should be "yes."
  - The proposed regulation might be revised to require BART reanalysis.
  - Where EPA has prescribed revised New Source Performance Standards for a class or category of sources, or where EPA has approved a petition for BART reanalysis for a specific source from an FLM or a State showing that new advances have been made in NSPS, BACT or other control measures, and that application of reasonable available additional control measures may present the opportunity for significant improvement in existing visibility impairments in an applicable Federal Class I area.

IV-D-326 (continued)

- Regulations should distinguish between two types of impairment under BART.
  - Any impairment which triggers State's BART analysis.
  - Significant Impairment where Administrator and FLM may not approve an application for BART exemption.
- Suggest source before BART analysis for review and approval by State.
- Regulations lack monitoring requirements. All that is required is a strategy to monitor.
- Need procedures for 165(e) analysis.
- Establish firm deadline for Phase II regulations. If not EPA should at least report back to Congress every 12 to 18 months.
- EPA should make it clear that it has several other key responsibilities in visibility after promulgation of regulations.
  - review and where necessary promulgate plans.
  - monitor State actions.
  - if necessary, enforce State plan requirements.
- Problems with preamble language on BART requirements.
  - inconsistent with regulation language.
  - preamble language might be construed to allow or require visibility impact of each of several sources to be analyzed in isolation from all others.
- Regulations should provide for requirements for monitoring or specify how the States are to meet their obligation to do NSR's without such a requirement.
- Need to revise regulations to be consistent with 165(d). This needs to be made clear.
- Do not publish "Criteria for Identification of Integral Vistas".
- Agree that smoke management is an ecologically sound management tool. Should be considered in State's long term strategy.

Daniel J. Snyder, Visibility Task Force, Western Regional Council, IV-D-327

General Comment:

Request a 60-day delay of the hearing to allow time to prepare comments.

Platte River Power Authority, IV-D-328

Comments on the draft "Workbook for Estimating Visibility Impairment", U.S. EPA, July, 1980.

- Footnote on "integral vista" inappropriate since the regulations are only proposed.
- Units "metric tons per day" used rather than grams per second. Also units for "p" - shown as sm^{-2} in. one equation and m^{-2} in another. p. 51.
- Latest revision of Turner's "Workbook" should be referenced. p. 56.
- The mean visual ranges shown on Figure 13 for the Southwest with visual range greater than 170 km are about 50% too high. For determining worst case conditions under very stable conditions, measurements with a nephelometer should be made at night. pps. 58 & 59.
- The example of an NSPS power plant with an SO_2 emission rate of 200 metric tons of SO_2 per day is much higher than could be expected with western coal. p. 61.
- The latest Briggs' plume rise equations should be used. p. 67.
- There is no justification to adding 500 meters to a computed effective stack height. p. 67.
- Doppler acoustic radar cannot observe values of vertical temperature gradients, only presence of temperature inversions. p. 72.

Texaco, Inc., IV-D-329

Definition of visibility:

- Public appreciation of scenic quality, visual air quality, visual range and atmospheric discoloration are not equivalent visibility parameters.

Monitoring:

- Although there are several methods available, few comparisons of the various methods have been made.
- Data base must be accumulated using several methods which include human observation.

Natural Background:

- Regulations using natural conditions as a background are not technically feasible because the difference between existing and natural conditions can never be measured.

For Phase I regulations, only the visual plume tracking is a reliable method for assessing whether a change in visibility is the result of pollution.

Modeling:

- Is not a generally useful predictive tool in the forseeable future.
- May be a useful assessment tool for existing sources if properly "tuned".

Support the concept of phased regulations:

- The approach to Phase I should be different.
- A basis for the regulations should be developed before compliance strategies are required.
- A system of degradation measurement - scenic beauty evaluation (SBE) is suggested.
- A SIP revision would require a plan to develop modeling or pollutant concentration monitoring for sensitive vistas.
- Other analysis would be performed on frequency and effect.

Definition of "Visibility Impairment":

- Not technically feasible.
- "Any perceptible" could lead to a changing definition with improved monitoring techniques.
- Should be defined: "man-caused change in atmospheric optical properties (including visual range and atmospheric discoloration) which appreciably reduces public enjoyment of the scenic quality of the vistas".

Definition of "in existence" to encompassing:

- New or modified facilities with preconstruction approvals and permits after August 7, 1977 should not be "in existence" until after it is "in operation".

Opposes the concept of "integral vistas":

- Not authorized by Congress.
- The regulation and guidelines encourage the FLM to identify as many vistas as possible.
- The judgement is highly subjective for selection of an integral vista.

New Source Review:

- The present NSPS and PSD provide adequate interim visibility protection for Phase I.
- There are no appreciable visibility protection benefits to compensate for the Nation's energy availability.
- These provisions should be deleted.

Identification of impairment:

- There should be some criteria.
- Present guidance is vague and scientifically unsupported.

Determination of BART:

- The extension of procedures for BART determination on power plants to other kinds of sources is tenuous.
- Use of modeling do determine the need or extent of SO_2 or NO_x control should not be made.
- BART guidelines should distinguish between appropriate economic analysis for power plants and other types of facilities.

Long-Term Strategy:

- No guidance to the states is offered.
- No validated models.

Where no scientifically sound basis is available for objective implementation of a rule, that rule should be deleted from Phase I.

"Draft Report - Preliminary Assessment of Economic Impact":

- Only takes into account the effect on existing sources.

"Criteria for Identification of Integral Vistas":

- Did not take into account economic factors.
- Could have a large effect on nation's energy independence, energy costs, balance of payments, and national security.

"Interim Guidance for Visibility Monitoring":

- Should more thoroughly address the technically feasible goal of identifying impairment from existing sources.
- Should enumerate the techniques that can be used.
- Should not presume relationships among atmospheric optical properties.

"BART Guideline":

- Unvalidated models should not be used.
- The guideline should indicate the basis for determining investment, operating and maintenance, and annualized costs.

"Workbook for Estimating Visibility Impairment":

- Relies on generally invalid Koschmieder relationship of visual range to other atmospheric optical properties.
- Use of unvalidated and erroneous models.

"User's Manual for PLUVUE":

- Absence of a comprehensive consideration of the limitations of the model.

L. F. Fikar, Texas Utilities Services, Inc., IV-D-330

General Comments:

Fully support the comments of the Utility Air Regulatory Group.

Specific Comments:

- Phased Approach: Agree with the phased approach in which initially only direct visual observation is used to identify sources causing impairment of visibility in Class I areas.
- Integral Vistas: Recommend that all references of "integral vistas" be removed from the proposed regulations and that only Class I areas be considered for special visibility controls.
- Role of Federal Land Manager: The Federal Land Manager should be kept informed of all proceedings and allowed to comment, but all decision making on air quality control requirements should be made by the State Air Control Agency.

Mary Pat Darilek, Attorney for Tennessee Gas Transmission, IV-D-331

Opposes the concept of integral vistas:

- Violates the plain meaning of the statutory language.
- Goes beyond the intent of Congress.

Regulations rely on subjective determination of visibility impairment:

- No standards are set forth to measure a "humanly perceptible change in visibility".
- Regulations do not allow for review of sources affected by an adverse determination.

Opposes addition of visibility standards to new source permitting requirements.

- Section 169A does not mandate a separate visibility permitting procedure in addition to the other PSD regulations.
- Any additional regulatory burden placed on sources seeking PSD permits would be unreasonable.

William H. Young, Oregon's Department of Environmental Quality, IV-D-332

Cost of maintaining and developing monitoring program as outlined in interim guidance would be expensive.

- Oregon has 12 Class I areas and would need federal monetary assistance.
- The required nephelometer is difficult to operate and maintain and usually doesn't have the range suggested in the guidelines.

None of the three levels of modeling presented in the Workbook for Estimating Visibility Impairment are suitable for Oregon.

- Levels 1 and 2 are conservative due to the mountainous terrain.
- Limited meteorological data is available.
- The application of Level 3 analyses is not clear.

The User's Manual for the Plume Visibility Model does not address modeling needs for long range plans, area sources, and multiple point sources.

- PLUVUE appears to be mainly designed for flat terrain.
- Dilution equations in model assume that 6y equals 6z which may not be true of a plume transported a long way.

Requires more definitive BART guidelines for wood products and aluminum industries.

Utility Air Regulatory Group/ Hunton & Williams, IV-D-333

- Same basic comments as previously presented in IV-D-35, IV-D-271 and IV-D-300 with two exceptions (i.e., completely new material not otherwise contained in 271 and 300).
  - Appendix G: TRC Report "Review of the EPA Draft Report 'Preliminary Assessment of Economic Impact of Visibility Regulations'".
  - Appendix H: An Excerpt from Comments of the Utility Air Regulatory Group on the Environmental Protection Agency's Proposed Regulations for the Prevention of Significant Deterioration of Air Quality, Docket Number A-79-35 (November 5, 1979 as supplemented on November 19, 1979).
- While the comments are basically the same, some minor changes or additions were made. These include:
  - Pg. 33 discussion explaining which sources need not be subject to the States long term strategies as set forth in 169A.
  - Pg. 40 wording changes on effect of visibility and need for statistical analysis.
  - Pg. 43 rewording of comments where EPA's proposal departs from 169A.
  - Pg. 44 rewording of 111(a)(1) discussion and legal standard for NSPS.
  - Pg. 45-46 rewording of BART equal NSPS discussion.
  - Pg. 50 addition of fourth item which comments on 51.301(0) use of visual observations or other monitoring techniques to attribute visibility impairment.
  - Pp. 52-53 wording changes on comments on monitoring guideline.
  - Pg. 54 wording changes on significant visibility impairment.
  - Pg. 55 reorganizing of guideline comments. No substantive change.
  - Pg. 60 rewording of comments on visibility monitoring.
  - Pg. 67-69 reorganization and rewording of comments on visibility improvements, Phase II concerns and conclusions - no substantive change in comment.
  - Pp. 77-83 rewording and some reorganization of comments on regulatory analysis - no substantive changes in comments.
  - Pp. 84-96 reorganization and revised wording on impracticality of EPA's proposed schedule and recommendations. No major changes.
- Comments also includes in Appendix B comments on EPA's Report to Congress - not reviewed in detail because they have already been reviewed and considered.

IV-D-333 continued

Appendix G

- Methodology used in regulatory analysis has serious flaws which underestimate the number of sources potentially affected and overestimates the costs which could be justified under those regulations.
- Most fundamental flaws are related to reliance on the modeling of visibility impairment and misinterpretation of the proposed visibility regulations.
- Specific comments are provided on the screening curves.
- Specific comments on analysis relating to emissions data, source to impact area distances, benefit assessments, and other factors.
  - Emission Data - NEDS inaccurate, corrections for annual to 24-hr emissions.
  - Source to Impact - Area distance fails to consider plume outside the Class I area which still could be visible from each of Class I areas.
  - Benefit - Concern over NO_x control assumptions.
  - Other Factors - Fails to consider long term strategies.

Libert K. Landgraf, State Forester in Hawaii, IV-D-334

Visibility program should be organized on regional level:

- States should work out their own solutions.
- Where problems cross state boundaries a regional approach is required.
- Local governments cannot handle problems affecting a broad area.

Opposes regulation of prescribed burning:

- Fire used as a management tool is a natural phenomenon.
- Prescribed fire should not be unduly restricted.
- It is certain that fires will occur.

Cities Service Company, IV-D-335

Believe EPA has overstepped the intent of Congress in regards to the concept of "integral vistas" and the authority given the Federal Land Manager.

- EPA also failed to address requirement that the visibility regulations should include provisions for "reasonable progress" in achieving national visibility goals.

Oppose any provision in the regulations to new source review, saying that there is no support in Section 169A for new source review for visibility.

Included within their comments are some editorial changes made for the wording of the regulations.

Oppose several definitions and have supplied corrections for incorporation to the regulations.

U. S. Department of Agriculture, IV-D-336

Supports the affirmative role of the FLM in the proposed regulations.

Supports the phased approach:

- However, there is a lack of technical information.

Definitions:

- They are in random fashion and should be in alphabetical order.
- Revise the definition "significant impairment" to include reference to the FLM's role.
- "Integral vista" - should be "integral view" to agree with published landscape management books. It should include reference to fundamental purpose for which area was established.
- "Adverse impact" - role of FLM should be included in the definition.
- Add a term "Air Quality Related Values" to the definitions - "The abiotic, biotic, and aesthetic attributes of Federal Class I areas the conditions of which: (1) can be affected by air pollutants; and (2) are important to achieving the fundamental purposes for which the area was established and preserved by Congress and the responsible Federal agency.

SIP Revision

- Subsections (a)(2)(ii) and (a)(4) should be combined.
- Subsection (b) should be changed from "...Forest Service and/or the Chairman..." to "... or ... in writing".
- To subsection (b)(ii)(3) add "The State shall consult in person with affected Federal Land Manager for the purpose of agreeing on the scheduling and types of State-Federal consultations to be employed to implement the visibility program".
- (c)(2)(i) should be revised - "The plan shall...".
- The regulations should state that the FLM's will employ an appropriate land management planning process to establish visibility prescriptions for Class I areas and integral vistas.

Identification of Class I areas (Subpart (c)(4)(ii)):

- The 90-day period is insufficient.
- "Significant impairment" rather than "visibility impairment" should trigger a BART analysis.

IV-D-336 continued

- Before I.D. certain items need to be accomplished:
  - (a) Prepare visibility prescriptions for Class I and integral vistas.
  - (b) Inventory current visibility.
  - (c) Determine whether a "significant impairment" exists.
  - (d) If "impairment" then identify the source(s) causing the "significant impairment".
- Identification of BART sources should be delayed - the identification by the FLM would be completed by December 31, 1985.

Delete "integral vista" from the final rule:

- Legislative history does not support this concept.
- No buffer zone was planned or intended.

If "integral vista" is retained then the comments:

- Section 51.304(a) add "This identification will be made using the land management planning process of the Federal Land Manager.
- Delete Section 51.304(b).
- Disagree with the first paragraph in the third column on page 34775 of the May 22, 1980 F.R.
- The identification of integral vistas should be by December 31, 1985 with review of PSD permits on a case by case basis until then.
- Delete Section 51.304(e).

Monitoring:

- EPA needs to publish a visibility monitoring guideline.
- The language "...evaluating visibility in ..." may be impossible with instruments in some cases because of inaccessability and lack of electricity.
- A monitoring strategy should not be based on on-going research.
- Repropose this part when the national program and the guidelines are available.

Long-Term Strategy

- Change from 3 to 5 years.

Opposes the regulation of prescribed burning:

- Delete subsection (f)(5) from the final rule.
- There are smoke management programs in existence.
- The proposed rulemaking is directed at major industrial sources.

IV-D-336 continued

New Source Reviews:

- 30 days is not adequate to respond to a proposed permit.
- EPA should promulgate a rule under Section 165(e) of the Act requiring proposed sources with potential to affect Class I areas to consult with FLM's for advance planning.
- (c) syas "where the State, in consultation..." Change State to Administrator.
- (c) is not consistent with Section 165(d)(2)(c)(i)(ii), and (III) of the Act. This should be rewritten under the PSD regulations.
- Define a minimum process for dispute resolution.
- PSD visibility requirements should be fully recognized and coordinated between PSD rule and visibility rule.
- Visibility modeling needs to be addressed in visibility rule or PSD rule.

Hugh Sebastian, Concerned Citizen, IV-D-337

Supports the concept of integral vistas:

- Should include vistas view from outside the parks.
- Determinations of integral vistas should be made on the basis of preservation of resources rather than energy or economic considerations.

EPA should issue specific guidelines for monitoring violators using latest sophisticated techniques.

Mrs. Jane Sturtevant, Concerned Citizen, IV-D-338

It is more important to preserve resources than energy or economics.

EPA should issue specific guidelines on monitoring violators.

San Diego Gas & Electric, IV-D-339

There is an absence of adequate monitoring and modeling techniques.

Hasty promulgation of regulations may be costly and ineffective in future.

Visibility impairment is not related to public health.

A long time table such as proposed by WEST should be followed.

- Monitoring, modeling, etc. and BART guidelines could be developed.
- Give states more time.
- More thorough cost analysis.
- Better program - integrated with control of acid rain and atmospheric carbon dioxide.

Alan S. Mickelson, Chairman of Northeastern Area State Foresters and State Forester in Illinois, IV-D-340

Non-federal Land Managers should be included in the development of the visibility program:

- Favors a phased, state centered approach.
- Allows local people involved to react to specific local problems.
- Rules that apply nationally may in some cases work contrary to solvinv local problems.
- Cooperation between the State, EPA, and Federal Land Managers is important for developing a monitoring system that should operate at the state level.
- Hopes EPA will recognize currently operational State smoke management systems.

Opposes regulation of prescribed burning:

- Smoke from a prescribed fire should not be categorized as a man-made source.
- Based on the definitions of visibility impairment and natural conditions smoke from prescribed fires can not have an adverse impact.
- It is a sound forest and range management tool.

Bert Barry, Concerned Citizen, IV-D-341

- Judgement of where integral vistas exist should be made on the basis of preservation of resources rather than energy or economic considerations.

Charles Bensinger, of Video-Info Publications, IV-D-342

Supports the concept of integral vistas:

- The agency in charge of the Class I area should determine where they exist.
- That determination should be made on the basis of preservation of resources rather than energy or economic considerations.

Supports an aggressive role for the Federal Land Managers.

Urges EPA to issue specific guidelines for monitoring and new source modeling.

Wants EPA to say when Phase II will be implemented.

McGee, Concerned Citizen, IV-D-343

Applaud EPA's position regarding "integral vistas".

- Support expansion of proposed regulations to include vistas viewed from outside the parks.

Agency in charge of Class I area should determine which areas are "integral vistas".

Preservation of natural resources is of greater significance than the need for energy development.

Mrs. Reynolds Girdler, Riverside, Connecticut, IV-D-344

General Comments:

Generally supports the efforts of the EPA.

Especially in regard to the proposed clean air regulations for parks and wildernesses. They can't be too strong and they should be retroactive.

Cate, Concerned Citizen, IV-D-345

Supports EPA's initiative to propose protecting "integral vistas", and recommends expanding protection to include essential vistas viewed from outside of the park.

Agency in charge of Class I area should determine the "integral vista".

- Supports better defined and more aggressive roles for the National Park Service and other federal agencies in charge.

Mary Klaes Troland, Oceanside, New York, IV-D-346

General Comments:

Strong support of proposed regulations.

Should expand the regulations to include part vistas as viewed from outside the park.

Urges EPA to call for the use of the most modern technology available to determine levels of air pollution in the proposed monitoring programs.

Potomac Electric Power Company, IV-D-347

Opposes the concept of integral vistas:

- Goes beyond the intent of Congress.

Visibility impairment is reversible, and the principal reason for regulating visibility is aesthetic value.

Comment on "criteria identification" guidelines:

- Criteria is far too subjective.
- FLM's have unlimited power.
- Guidelines should be more specific and definitive.

BART

- SIP requirements are premature since the states do not have the ability to meet the proposed revisions in 9 months.
- EPA has not provided guidance for identifying a source of impairment or for characterizing an impairment.
- SIP should not be required until validated analytical techniques are available.

Thompson - Citizen, IV-D-348

Supports the proposed regulations:

- Feels they should be more stringent.

Bunder - Citizen, IV-D-349

Supports the concept of "integral vistas".

- Hopes NPS has an active role in implementation.

Davis & Davis - Citizens, IV-D-350

Supports the concept of "integral vistas".

- Propose regulations to protect vistas not in the Federal Class I areas.
- FLM should make final judgement on selection of "integral vista" site.

More aggressive and defined role for NPS and other FLM's in visibility protection.

Guidelines for monitoring and modeling should be issued.

Benioff - Citizen, IV-D-351

NPS and other FLM should implement visibility protection for Class I Federal areas.

Leander - Citizen, IV-D-352

Supports the proposed regulations.

Heckel - Citizen, IV-D-353

Support the concept of "integral vistas".

- Areas outside the park viewed in should be protected.
- Economics and energy should not be considered.

Better defined and more aggressive role for the NPS and other FLM's for implementing visibility protection.

Guidelines for monitoring and modeling should be issued.

Transcript of Public Hearing on Visibility Proposal, Washington, D.C., June 30, 1980, IV-F-1

- Comments presented were reviewed individually and summaries prepared. See IV-F-3 through IV-F-11.

Transcript of Public Hearing on Visibility Proposal, Salt Lake City, Utah, July 2, 1980, IV-F-2

- Comments presented were reviewed individually and summaries prepared. See IV-F-12 through IV-F-32.

Friends of the Earth, IV-F-3

- Regulations are important step to visibility program.
- Proposal has too many weaknesses and does not meet Congress's intent.
- Proposal fails to provide vital connection between PSD and visibility protection.
- Proposal handcuffs FLM from discharging affirmative responsibility. 30 day review is unreasonable. 90 days should be a minimum.
- Disagreements between FLM and State should be subject to consultation with EPA.
- Recommendations:
  - FLM should develop criteria that could be used to judge whether proposed source would have an adverse impact on visibility. Some type of an index.
- Regulations should make it clear that Congress did not authorize the use of economic or energy-related considerations to be considered in determining if a new source impact would cause an adverse impact.
- Guidance is needed on new source visibility reviews.
- Application of BART does not exclude a source from a BART reanalysis.
- Strongly support integral vistas.
- Identification with 90 days is not enough time, at least six months.
- Restricting designations to every 3 years would severely inhibit the identification of new ones.
- Department with jurisdiction over Class I area should be responsible for choosing integral vistas.
- Monitoring is insufficient.
- Support counting of fugitive emissions in applicability under visibility.
- Support phased approach. Set firm deadlines for future phases.

William Harrison - Southern Company Services, UARG, IV-F-4

Phased Approach

- Visibility impairment is reversible.
- Aesthetic value - less urgency.

Costs & Benefits

- Costs critical as compared to benefits.

Technical Basis

- Lacking

Agrees with EPA's Approach

- Only sources who clearly contribute should be regulated.
- Visual observations most reliable.
- Even if a source is linked to impairment, no regulations unless relationship can be developed.

BART

- Not for all sources.
- Premature requirement.
- States only adopt procedures for conducting BART assessments.
- Nine months not enough time to determine BART on all sources who contribute.

Analytical Techniques

- Lack about to relation actions to degree of improvement.
- States can not establish emission limitations based on current methods.
- Less 4 months for states to really do analysis, consider comments and finalize SIP.

Monitoring

- No reference method.

Failure to publish guidelines on modeling, monitoring and NSR.

Lack complete reg. analysis.

Hunton and Williams, IV-F-5

- Deeply concerned over the content of the proposed regulations.
- Docket as yet fails to reveal the basis for the proposed regulations. If this is not corrected, then requirements of 307(d) of the Act cannot be satisfied.
- Reversible aesthetic effect.
- Significant portions of the information essential to understand the meaning and implications of the proposed rules have not been developed, much less disclosed.
  (1) the visibility monitoring interim and final guidance documents;
  (2) the visibility modeling interim guidance document;
  (3) portions of the guidelines for assessing costs of retrofit control technology;
  (4) the guideline document for new source review; and
  (5) the guideline document of prescribed burning.
- Given inadequacies of proposal, EPA must suspend comment period and repropose.
- Current comment period is inadequate--need opportunity to exchange views.
- Adequate procedures must be afforded for review and comment.
- If reproposal is not forthcoming, request an additional 30 days for comment.
- Comments also include a summary of past and on-goings UARG activities with respect to visibility.

National Coal Association, IV-F-6

Opposes the concept of integral vistas:

- Goes beyond the statutory authority of EPA.
- EPA is jeopardizing new energy development in the west.
- Gives significant authority to the FLM.
- A FLM could stop new projects at will by identifying an area as a new integral vista.
- In effect extends the boundries of the Class I federal areas.
- The identification of integral vistas should be left up to Congress.

J. W. Gnan, Manager of Forest Development, Union Camp Corporation, IV-F-7

General Comments:

EPA's treatment of prescribed burning in the proposed regulations: (1) Does not reflect the net air quality benefits of prescribed burning; (2) does not recognize the importance of prescribed burning as a natural resource management tool; and (3) imposes an inflexible requirement upon state agencies to regulate prescribed burning.

Specific Comments:

- The net impact of prescribed fire on visibility protection is a positive one.

Blaine Fielding, Manager of Air Quality Programs, American Paper Institute/National Forest Products Association, IV-F-8

General Comments:

Opposes the regulations on the basis of: (1) the validity of the EPA/Department of the Interior determination of areas meriting visibility protection under Section 169A(a)(2) of the Clean Air Act; (2) EPA's proposal to regulate "integral vistas" that are outside mandatory Class I Federal PSD areas; and (3) the impact of the proposed regulations on prescribed forestry burning.

Specific Comments:

- Review of the Department of the Interior workbooks on determination of areas where visibility is an air quality related value revelas inconsistencies, misunderstandings, and irrelevant comments. EPA should provide more than a simple acquiescence with Interior's flawed evaluations. EPA should, as part of this rulemaking, fulfill its statutory responsibility to perform an independent, critical review of the Interior evaluation process.
- Congress did not give EPA the power to regulate visibility impairment that occurs outside mandatory Class I Federal areas. However, if integral vistas must be included, the guidelines for integral vista selection warrant formulation with far greater respect for administrative procedures and appropriate public participation. It is proposed that, any proposal to identify a specific integral vista be publicly announced, followed by an opportunity for public comment, and public hearings.
- EPA has no regulatory authority to regulate prescribed burning. Nonetheless, if EPA continues to assert such authority, the final regulations should clearly allow the states to decide whether it is necessary to consider smoke management techniques in order to make reasonable progress in achieving the visibility goal.

Western Energy Supply and Transmission Assoc. (WEST), IV-F-9

There is inadequate scientific and technical foundation to permit rulemaking at this time.

- Validated models are needed.
- More data is needed - methods also.

Opposes BART proposals:

- Do not demonstrate visibility benefits from controls.
- Reanalysis provision could present extreme hardships to utilities.

Increased costs to the consumer will result from New Source costs:

- Visibility regulations will be counterproductive.
- EPA should adopt a five year plan to study the problem.

The balance of the comments are the same as the WEST comments in IV-D-263, already summarized.

Southern California Gas Company, IV-F-10

Disagree with following definitions from Section 51.306:

- "Potential to emit"
- "Natural conditions"

Opposes concept of "integral vistas".

- Beyond Congressional intent.
- Assuming EPA persists in this aspect, the vistas should be expeditiously identified.

Concerned as to whether through periodic reanalysis, costly changes in control equipment will be required as new BART techniques are developed.

- If so, this would involve facility shutdown every few years for new and expensive installation.
- This would effect significant dislocation in energy production.
- Would a source be exempt from installing BART if facility is to be retired within 3-5 years?

Eugene M. Trisko, Attorney Representing Stern Bros., Inc., IV-F-11

General Comment:

Opposes the regulation because it does not address benefit/cost analysis and may be unnecessarily stringent in controlling power plants thus creating an imbalance between air quality and energy goals.

Specific Comments:

- The attainment of a balance between national energy and environmental objectives -- essential to the economic and social well being of the United States -- will require substantial legislative modification of the PSD and visibility protection policies.
- As a consequence of EPA's determination that visibility is an important value at all but two of the 158 mandatory Class I areas, visibility protection is being extended to over 100 roadless, inaccessible, and infrequently-visited wilderness areas. Since visibility protection for Class I areas is intended primarily to prevent aesthetic degradation, the extension of this policy on a strict basis to infrequently-visited wilderness areas could only generate minimal direct user benefits. Corresponding costs, however, could be unacceptably high.
- An example of a cost analysis is presented which shows costs of from $4,000 to $18,000 per visitor-day for visibility protection at two infrequently used wilderness areas.
- It is recommended that the proposed definition of "significant impairment" (51.301(1)) include a substantiality test:

  > "Significant impairment" means for purposes of Section 51.303 visibility impairment which, in the judgement of the Administrator, substantially interferes with the management, protection, preservation, or equipment of the mandatory Class I federal area..."

- The proposed extension of visibility protection to "integral vistas" surrounding Class I areas will greatly magnify the areas of severe siting constraint around Class I areas. One consequence will be the elimination of dozens, and perhaps hundreds of potential minemouth (power) plant sites in the western coal and oil shale reserve areas.

IV-F-11 continued

- The proposed definition of "adverse impact" (51.301(r)) for new source PSD reviews is overly broad and should be modified to include a substantiality test like the one suggested for "significant impairment".
- The addition of visibility as an "air quality related value" defeats the purpose of one of the hardest fought compromises in the PSD plan enacted in 1977: Section 165(d) of the Clean Air Act, as amended, allows a limited 18-day sulfur dioxide variance for certain sources whose emissions would cause or contribute to violations of PSD Class I area increments.
- EPA can assist Congress in its review of the visibility protection policy in 1981 by candidly assessing the costs and benefits of these proposed regulations with particular attention to their impact on the attainment of national energy development goals.

Southwest Environmental Service, IV-F-12

Comments on long term strategy:

- Should include specific objectives as well as a schedule.
- The regulations must include required improvements in visibility.
- All SIP revisions should be reviewed for visibility impact.
- Concurrence of FLM should be required on any SIP revision affecting visibility.

Arizona Public Service Company, IV-F-13

The proposed regulations have not followed the legislation:

- Benefits are not balanced against energy and financial costs.

The regulations do not require a state to consider BART for other than the 26 categories.

The regulations do not give the states visibility objectives to achieve.

Comments on BART:

- EPA has ignored the cost-benefit analysis.
- EPA has not developed adequate guidelines.
- Nine months for SIP revision is inadequate.
- Reanalysis is illegal and inequitable.
- The guidelines only list 23 pages of guidance for 26 industrial categories.

Ralph Jerman, Attorney in the Legal Department of Utah Power and Light Company, IV-F-14

General Comments:

Opposes the regulations due to impact on power industry.

Specific Comments:

- The proposed extension of visibility protection to areas outside of Class I areas is beyond the scope of the Clean Air Act and beyond the intention of Congress.
- Visibility regulations could impact on the development of energy resources in western states and the present economic impact analysis of the visibility regulations is totally inadequate.
- It is essential that the Agency, and if necessary, the Congress, at the request of the Agency, take enough time to determine the causes of impairment to visibility and make adequate findings as to the technology which will reduce those impairments. This must be done before regulations setting up specific requirements are promulgated.
- The visibility regulations are fraught with subjective and potentially arbitrary procedures which cannot be adequately incorporated into planning and cannot be objectively evaluated with regard to compliance.

National Association of State Foresters, IV-F-15

Favors phased approach to visibility protection.

Favors the State-centered approach, in that a flexible, area-specific approach is perferable to the setting of national goals.

Commends EPA for its recognition of prescribed fire as an ecologically sound forest and range management tool.

- Agrees with EPA's classification of smoke management techniques as BMP, and even recommends their use as BACT.

Disagrees with the strict definition of "visibility impairment":

- Smoke from prescribed forestry burning should not be classified as a visibility impairment, since smoke from forest fires existed under natural conditions.

Disagrees with idea of "integral vistas":

- This protection is an attempt by EPA to regulate outside of the jurisdiction granted to it by Congress, and is an interference with the states' authority to manage their air resources.

Agrees with the need for cooperation and consultation between the EPA, the State, and the federal land manager in developing a monitoring system for visibility at the State level.

- Disagrees with a large and expensive national monitoring system. Monitoring responsibility should be shared between the federal land manager and state. Federal government should provide funding since protection is to federal lands.

Concerned that the program development will only involve the EPA, the State, and the federal land manager. Supports the idea that non-federal land managers should also be consulted.

Respects and stresses their hopes that currently operational state smoke management systems will be recognized by EPA and not be compromised through the promulgation of national smoke management guidelines.

- Strongly recommends that computer modeling not be considered as a national answer to managing smoke from prescribed fire.

Roy G. Cox, Secretary, North Idaho Forestry Association, IV-F-16

General Comments:

Generally supportive of EPA's efforts but opposed to possible impacts on prescribed burning.

Specific Comments:

- Questions whether EPA has authority to regulate prescribed burning, particularly outside of "mandatory Class I federal areas".
- EPA should limit its regulations to visibility impairment within Class I areas.
- EPA should consider smoke from any prescribed fire for the purpose of restoring, maintaining or improving natural ecosystems as part of the contribution to baseline visibility impairment.
- EPA should specifically include provisions in the final regulations for states to determine whether consideration of additional smoke management techniques for prescribed burning is necessary in the state program to achieve the national visibility goal.
- EPA should coordinate its final regulations with the programs of Federal and state agencies and private land owners to reduce the risk of uncontrolled wildfires and to increase the productivity of the multiple resources which farms and forests provide.
- EPA should thoroughly evaluate the alternatives to prescribed burning and view the objectives of its visibility program in the light of other desirable environmental objectives.
- EPA should postpone its regulations on prescribed burning until at least Phase II and preferably Phase III of the visibility program.

Dr. John Thielke, Air Quality Specialist, Puget Sound Power and Light Company, IV-F-17

General Comments:

- Endorses the statement of the Western System Coordinating Council (IV-F-28).
- Opposes the regulations because they will result in yet another regulatory stumbling block rather than a significant step in the direction toward clean air.

Specific Comments:

- The EPA should reassess the technical basis for visibility standard setting at this time and appraise the courts and Congress of the need for further research and study.
- Congressional direction should be requested to clarify how the term "reasonable progress" should be interpreted in paragraph (4) of Section 169A of the Clean Air Act Amendments.
- The consideration of visibility protection for vistas out of Class I areas should not be included in the proposed regulations until further direction is provided by Congress.
- Determination of visibility impairment should be based on visitor related perspective rather than model oriented techniques.
- There is a lack of data and therefore uncertainty in the baseline values for visibility. Therefore inclusion of visibility related concerns under PSD review should be flexible until such time when the effects of variable natural conditions are understood.
- The terms "significant impairment" and "adverse impact" in the proposed regulation (Section 51.301, paragraphs (l) and (r)) should be modified to read, ...visibility impairment which, in the judgement of the Administrator, unreasonably interferes with...
- "Our major objection to the proposed regulations lies in the lack of a good scientific or technical basis which in turn, places control decisions at the discretion of the EPA Administrator."

Pacific Gas and Electric Company, IV-F-18

The regulations as written are vague.

Visibility models have not been validated.

BART must be clearly defined.

Reanalysis of BART must be limited:

- New and retrofitted existing facilities should be granted a 10-year immunity from additional retrofit requirements.
- Should be explicit "grandfather" clause with exemptions related remaining life of the unit.

BART guidelines should include:

- Feasibility
- Benefit
- Cost
- Type, availability and operating history.
- Should not be LAER.

State of Arizona (Nils I. Larson), IV-F-19

- Concerned with the content and timing of proposed regulations.
- Proposed regulations and the technical support on which regulations are based do not give the States an adequate foundation upon which to develop visibility programs.
- Several questions in performing BART analysis:
    - To what extent does a particular industrial plant contribute to a visibility problem?
    - How are non-air quality and other environmental impacts of alternative definitions of BART to be measured or weighed?
    - In terms of visibility impairment, what is the cause and effect relationship of the emissions of particular pollutants from a specific source?
    - How are the economic consequences of alternative BART definitions to be determined?
    - Is BART only supposed to be concerned with emissions from stacks or are fugitive emissions also to be considered?
    - Most importantly, since the definition of BART clearly requires a cost/benefit analysis, how are the degree and benefit of visibility improvement anticipated from alternative BART determinations to be assessed?
- Proposed regulations rely almost entirely upon unvalidated models.
- PSD goes too far in terms of detail (no State flexibility) while visibility does not give enough detail.
- The development and implementation of a visibility program will take considerable State resources.

Wallace W. Carey, Director of Private Forestry, Industrial Forestry Association, IV-F-20

General Comment:

Opposes regulation of prescribed burning under proposed visibility laws.

Specific Comments:

- Prescribed burning is a necessary tool in modern forest management.
- EPA does not have statutory authority to include prescribed burning in visibility laws.
- If regulations are drafted that in any way restrict the use of prescribed burning, the background levels that are used should recognize the fact that there has never been what people call a pristine, perfectly clean air shed during the recorded history of the area and wildfire smoke has been in the air for centuries.
- There will be conflict with existing smoke management regulations in Washington and Oregon.
- Hauling of residue out of the woods for slash burning steam generators is not economically feasible and could cause air pollution problems near population centers.
- Prescribed burning has only short duration visibility effects.

Guenther, Concerned Citizen, IV-F-21

Urges that the concept of "integral vistas" be more firmly established for the purpose of protection.

- In addition to protection for these integral vistas (areas outside park boundaries viewable from within), essential vistas viewed from outside the park should also be protected.

Supports that the National Park Service and other federal agencies, having responsibility for resource protection in implementing visibility protection for their Class I areas, have the strongest possible role.

- The federal land manager should have key position and ample time to assess advertising from any new pollutant sources proposed. Proof of no adverse impact should be from source (new).

States that EPA should specify a firm date as to when Phase II will be implemented.

Suggests EPA to use simple monitoring techniques (e.g. visual smoke plume observation) only for gross measurements. More sophisticated monitoring techniques should be used immediately. Guidelines on monitoring and new source modeling should be issued as soon as possible.

Carlton D. Grimm, Manager, Generation System Development,
The Montana Power Company, IV-F-22

General Comment:

Opposes regulation due to lack of a valid scientific data base and vague language.

Specific Comments:

- Questions the scientific basis for setting a "visibility standard" considering the state-of-the-art of both visibility modeling and monitoring.
- Visibility as proposed is subjective.
- The definitions of "significant" or "adverse" are not adequately qualified or quantified and are thus vague and ambiguous.
- Also questions the concept of protecting vistas outside of Federal Class I areas.

Governor Matheson, State of Utah, IV-F-23

- Desire and accept responsibility for visibility protection.
- Visibility is State responsibility.
- Lack of scientific and technical information on visibility.
- Definition of visibility impairment is unrealistic - threshold of human perception not a line but a range.
- Natural condition impossible to define.
- Integral vistas not authorized by Act.
- Effect of integral vistas strategies will be significant.
- Process of identifying integral vistas unacceptable.
- If integral vistas are adopted - suggest two alternate approaches.
  - States would designate the vistas after appropriate FLM consultation.
  - Vistas identified through an explicit State/Federal cooperative effort. Criteria applied jointly and public input sought. State concurrence would be required.
  - Specific reference of vista in legislation or legislative history would be mandatory. Public use and perception would determine its importance.

BART

- State's role in selecting sources to be subject to BART not clearly recognized. Section 51.302(c)(4) must be stricken.
- Impossible to determine "reasonably attributing".
- BART reanalysis represents moving target.
- Cost to States for visibility program could be substantial. In Utah the cost would be nearly $700,000.
- Favor phased approach. Suggest one further requirement. EPA should solicit suggestions of test cases where visibility problems are representative. From this list, select demonstration projects for BART analysis. Federal financial assistance would be needed for these studies.
- During demonstration period, EPA and States could continue research into monitoring, modeling and transport mechanisms.
- Regulations have confused requirements of 169A and 165.
- Section 51.307(h) implies integral vistas can be identified and protected for future, non-mandatory Class I areas.

John R. McNamara, Associate General Manager, Salt River Project Agricultural Improvement and Power District, IV-F-24

General Comments:

Opposes regulations because 1) they depart from Congress' stated intent in addressing visibility impairment problem, 2) initial notions are eroding as a result of ongoing studies at the Navajo Generating Station, 3) they inappropriately transfer to the states the burden of visibility regulation, including development of reasonable scientific bases for any proposed regulations.

Mrs. Lloyd Bliss, Chairperson, Utah Environment Center, IV-F-25

General Comment:

Supports the proposed visibility regulations.

Specific Comments:

- Urge EPA to embark on a long-term plan to upgrade air standards in areas visible from Class I areas.
- Plans should include:
  1) prevention of pollution from new sources.
  2) upgrading of air standards for already recognized sources as technical means become available.
  3) creation of an effective monitoring program.

Public Service Company of Colorado, IV-F-26

Opposes the concept of integral vistas.

- EPA is creating buffer zones.
- The concept is prohibited by legislation.

The definition of visibility is not clear.

Comments on BART:

- The BART guideline is inadequate.
- No link between control of emissions and visibility benefit was shown.
- EPA is questioning the ability of scrubbers to meet opacity for visibility, but this contradicts the NSPS regulations.

Comments on the ICF Report:

- The report states that the Comanche Station at Pueblo, Colorado will affect visibility in the Rocky Mountain National Park, 82 km away. The Comanche Station is 230 km from the Park.
- The report concludes additional NO_x control is needed for Comanche. The plant already has the recommended controls.
- The appendix mentions the Comanche Station affecting visibility in the Grand Canyon. The Grand Canyon is 450 miles away and upwind of the Comanche Station. Also mentioned is the Jarbridge Wilderness Area which is 600 miles away.

Opposes the role of the FLM in the proposed regulations:

- Section 51.302(b)(3) consultation with FLM on SIP revisions is not supported in the Act.
- Section 51.302(c)(1) FLM may demonstrate an integral vista has not been properly designated - is not supported in the Act.
- Section 51.302(c)(4)(ii) State shall consult with FLM on BART.
- Section 51.302(c)(4)(iii) State shall consult with FLM on operational standard other than BART.
- Section 51.304(a)
- Section 51.305(a)
- Section 51.306(b)

IV-F-26 continued

- Section 51.306 (c)
- FLM does not have technical ability to perform all functions.

Opposes definition of "Potential to Emit":

- No plant operates continuously - year round.
- EPA should not condition a permit with limiting the hours of operation.

Michael S. Foster, Environmental Specialist, Chevron, U.S.A., IV-F-27

General Comment:

Opposed to regulations, particularly with respect to the scope.

Specific Comments:

- A phased approach: Agree with the phased approach but feels that several desirable aspects have been left out. 1) New sources and modifications should not be vulnerable to permit denial based on visibility impacts until EPA has validated and approved visibility impact models. 2) Suggests that EPA adopt definition number three (a visually perceptible impairment which is considered significant or adverse) initially, and consider number two as a possible long-term strategy.

Definition:

- "Significant Impairment" is good.
- "Stationary Source" and "Building, Structure, Facility or Installation" should include only those activities owned or operated by one person and located on contiguous properties that satisfy all three of the following criteria:

  1. They have the same first three digits under the SIC code.
  2. They are dependent upon or affect the process of each other, and
  3. They involve a common raw material or product.

- Protection of integral vistas: Protection of "integral vistas" should be deleted from the regulations.
- Application of BART: Suggest that BART equipment, once installed on a source, be deemed satisfactory until a major modification is made on that source, or at least the regulations should shield sources against "Double BART" for a reasonable period, say 10 years, to allow amortization of previously installed BART equipment.
- "Visibility Offsets" from exempt sources": Suggest an extension of the "bubble concept" to include visibility related emissions.

Mulloy, James L., Chairman, Western Systems Coordinating Council, IV-F-28 and IV-F-28a

General Comment:

The proposed rule can only result in reduced reliability and increased cost to customers and should be balanced against other national goals. Visibility protection is a worthy goal, but considering our national priorities and current state of knowledge, the proposed action is premature.

Specific Comments:

- Rules are vague and require subjective judgement during implementation.
- Could cost the western region over $3 billion to complete retrofits.
- Visibility impairment provides no realistic basis for a cost benefit determination.
- In two or three years, our state of knowledge would be much more advanced, that would be the time to proceed.

Pacific Power & Light Company (Ted Phillips), IV-F-29

- Problems--What is visibility and what is impairment.
- What does human perception mean?
- Considerable gaps in understanding of visibility.
- Regulations at this time can only apply to single source situations.
- No validated visibility models.
- Opacity regulations are already in affect which are a type of visibility program.
- Guidance needed on monitoring.
- How measure impairment or improvement?
- BART should not apply to each pollutant but only those which may reasonably be anticipated to cause or contribute to visibility impairment.
- Regulations should draw distinction between "any" and "significant" impairment.
- Integral vistas not authorized by Act.
- 169A(e) forbids buffer zones. Integral vistas introduce the buffer zone concept.

BART

- Regulations far exceed the requirements of the Act by essentially granting the FLM veto power over State decisions.
- FLM and EPA can review State BART decisions but initial decision is left to the State. FLM should be involved as interested party.
- 51.303. FLM decision with respect to BART decision should have a fixed amount of review time associated with it.
- 51.307(b) seems to imply that State must satisfy FLM that an adverse impact will not occur instead of the reverse as required by the Act.
- 51.307(b) should be revised to specifically reflect procedures and requirement of the Act.

Dr. Frederick E. Templeton, Kennecott Corporation, IV-F-30

General Comments:

Do not believe that Congress intended the operations of these smelters to be affected by the visibility requirements of Section 169A of the Clean Air Act, but EPA's proposed visibility regulations may nevertheless subject these smelters to additional emission limitations.

Specific Comments:

- EPA has changed the scope of the statute as enacted by Congress in at least two ways:

  1) EPA has proposed to include in its regulations, smelters that were in operation prior to 1962, whereas Congress specifically excluded them, and

  2) EPA has proposed to extend visibility requirements to areas outside Class I areas, whereas Congress specifically limited such requirements to the areas themselves.

- EPA should take a less active role in the visibility field and leave it to the states. "We urge EPA to abandon the expansive view of its powers represented by these proposed regulations and to redraft the regulations to conform to Section 169A, which makes the states, not EPA, the ultimate arbiter on visibility regulations.

Island Forest Resource Council, IV-F-31

Concerned about regulation's application to prescribed burning:

- Objective to decrease visibility impairment may have serious adverse effects on raw material supply (forest timber).
- Could affect maintenance of browse species for wildlife.
- It is possible to restrict programs involving millions of dollars, while giving little in terms of increased air quality.
- By regulating against visibility impairment in Class I areas, you are forcing smoke dispersement into populated areas.
- Additional designation of Class I areas ans related visibility regulations will only serve to tie up forest management program.

Colorado-Ute Electric Assoc., Inc., IV-F-32

Opposes the proposed visibility regulations in general.

Comments on the ICF Report:

- Incorrect tabulation of particulate emissions for Bullock Station.
- Bullock Station started operation in 1952.
- Comment on NO_x control in study for Hayden Station. Also comments on the blue to red ratio which could be affected by NO_x emissions.
- Underestimated costs of retrofit.

Governor Herschler, Wyoming, IV-C-3

State should have the option of reclassifying Class I areas (downgrade the classification).

Comments on definition of "potential to emit":

- Must recognize enforceable permit conditions.

Comment on the definition of "visibility impairment":

- Cannot determine "a human perceptible change in visibility from that which would have existed under natural conditions".
- General visibility impairment cannot be reasonably associated with given manmade activity.

Opposes consultation with FLM on SIP revision.

The State should identify integral vistas.

Opposes role of FLM.

- Identification of integral vista.
- Identification of candidate for BART.
- Should not have decision making authority.

Long-term Strategy:

- Should review every five years.

Comment on New Source Review:

- The process of review will take too long. Some States only have 90 days.
- Opposes the final determination by EPA in the case of a dispute with the FLM and State.

Scott Paper Company (Through Warren Magnuson), IV-C-4

Opposes the regulation of prescribed burning:

- State laws require the abatement of "extreme fire hazards". Fire is one of the principal tools.
- Proposed regulations will increase cost of near term timber.
- Decrease productivity - particularly true on National Forest timberlands adjacent to Federal Class I areas.
- Will discourage small forest landowners from staying in business.
- Will create a "backlash" reaction to classifying additional wilderness areas.
- Will aggravate the fiscal crisis at state level since states are not prepared to handle proposed regulations.
- Aggregate cost of regulations out of proportion to benefits gained.

Puget Sound Power & Light Company (Through Warren Magnuson)
IV-C-5

Lack of technical basis for regulations:

- Being generated only to comply with court mandate.
- Urge EPA to reassess the technical basis for visibility standard setting at this time.
- Appraise the courts and Congress of the need for further research and study.

"Reasonable Further Progress" in Section 169A(4) of the Act.

- Congressional direction should be requested to clarify the term.

Opposes the concept of "integral vistas":

- Not supported by the Clean Air Act.
- Not intended by Congress.

Protection of visibility is beset with uncertainties:

- EPA should reformulate the basic long-term approach to visibility protection from deterministic, model oriented techniques to statistical, visitor related perspective. Recognizing uncertainties the entire issue and deal with them.
- Techniques for characterizing "natural" visibility should be developed.
- Correlation between lines of visitor use and impairment - frequency, duration, extent, and intensity should be reviewed to develop regulations.

PSD

- Visibility protection through PSD should remain flexible until baseline values can be established.

Definitions of "significant impairment" and "adverse impact".

- Should have the language "judgement of the Administrator, unreasonably interferes with..."

Objects to the proposed regulations:

- Lack of scientific and technical basis.
- Significant impact to the economy.

Allegheny Mining Corp., (Through Senator Robert Byrd), IV-C-6

Visibility regulations would have severe economic impact.

- Specifically power plants in the vicinity of Dolly Sods and Otter Creek in West Virginia were cited.
- ICF cost estimates did not take into account the effect on the local economy from changing coal supplies.
- Urge EPA to revise the regulations so as to limit the amounts that must be spent for visibility protection.

Visibility is not a health related issue and has no effect on plants or animals. It is completely reversible.

Most wilderness areas are not important recreational attractions:

- Extention of this policy on a strict basis to infrequently-visited wilderness areas could only generate minimal direct user benefits.
- Costs could be unacceptably high.

Capital and annual operating costs were cited for four power plants in the Otter Creek wilderness vicinity which were in the ICF study.

- Costs to control visibility impairment were listed.
- These costs could not be financed under any plausible set of circumstances.
- This pollution control equipment would be unproductive.
- Cost of protection for Otter Creek would be more than \$18,000 per visitor-day at 5% visibility impairment and over \$13,000 at 13%.
- If Otter Creek and Dolly Sods benefit, the costs would be \$7,500 per visitor day at 5% and \$4,000 at 13%.

Cites quotes from, Latimer's Report, Power Plant Impacts on Air Quality and Visibility: Siting and Emission Control Implications. (Final Report, EF 79-101, August, 1979), prepared for EPA.

- Large areas will be off limits for power plant siting.
- Western coal may not be available to eastern plants.

Opposes "integral vistas":

- Reduce even further the possible power plant sites.

Opposes inclusion in PSD permit requirements.

Plants will be precluded from nine month siting.

Puget Sound Power and Light Company (Through Rep. Al Swift)
IV-C-7

This correspondence was identical to that sent to Senator Magnuson - IV-C-5. For a summary, see those comments.

Roberts - Citizen, Through Sen. Herman Talmadge, IV-C-8

Supports the proposed regulations.

Supports the concept of integral vistas.

EPA should review all means source permits where visibility is involved.

The role of the FLM should be strengthened and clarified.

- Especially where the state - new source review process is concerned.

The States and FLM's need more guidance on how to make an "adverse impact" determination.

Method of settling disputes between FLM and States should be clarified.

Major flow - lack of monitoring program.

Davidson-Forestor, Through Rep. John Hammerschmidt, IV-C-9

Opposes the regulation of prescribed burning:

- Natural occurrence.
- Pines would be overtaken by shade tolerant hardwoods.
- Improves wildlife habitat.
- Eliminates need for chemical or mechanical control.
- Reduces chance of wildfire.
- Improves condition for harvesting or replanting.
- Smoke management is to keep smoke away from populated areas, but these regulations may do the opposite.
- Forestry burning is only a secondary factor in visibility impairment.
- Concern not given to economic impact.

Virginia Manufacturers Association (Through Rep. William Whitehurst), IV-C-10

Opposes the concept of "integral vistas".

- Would create a buffer zone outside the Federal Class I area.

Opposes reanalysis of BART:

- An industry could be forced to continually install new pollution control equipment.

Opposes role of FLM:

- Could prevent or delay industrial development.
- Goes far beyond Congressional intent.

Governor Atiyeh - Oregon (Through Sen. Mark Hatfield), IV-C-11

Opposes concept of "integral vistas":

- Doubt whether Congress actually intended integral vistas be included.
- Could bring unacceptable impacts on natural resources.
- If Congress did intend this concept to be enacted, then the state should play a major role in determining sites and regulation.

Opposes regulation of prescribed burning:

- Guidelines should not be allowed to evolve into strict rules.
- Burning is the only specific source required to be considered in the long-term strategy. EPA has decided it adversely impacts.

SIP revisions cannot be done in 9 months:

- Monitoring should be done in summer recreational season over several years.
- Control strategies should be based on the results of this monitoring.

Concerned about identification of sources causing impact:

- Models not well developed.

Representative Beryl Anthony, IV-C-12

Opposes the regulation of prescribed burning:

- The regulations will result in the termination of prescribed burning.
- Environmentally safe.
- Improves wildlife habitat.
- Reduces chance of wildfire.
- Enhances forest reproduction.

Levy - Citizen (Through Rep. Ike Andrews), IV-C-13

Support the proposed regulations.

Support the concept of "integral vistas".

- Mandated by Congress.

Special protection of Class I areas is needed because of the tearit industry.

PSD:

- Regulations must require review of visibility impacts.
- Clear methods for FLM to object to permitting new source.
- Procedure for FLM to analyze the impact.
- Stated method by which EPA will review and weigh the FLM's comments in the permitting process.

Monitoring:

- For compliance of new sources and current visibility is not mentioned in the regulations.

Eads, Council on Wage and Price Stability, IV-C-14

Supports the phased approach.

Questions the assumption BART is equivalent to NSPS.

- May raise the cost of compliance significantly.

Comments on BART guidelines:

- Guidelines assume BART will be NSPS for the majority of the facilities. The Act requires a case-by-case analysis.
- Fails to describe, in either qualitative or quantitative terms, the nature and extent of visibility impairment to be improved.
- The costs of BART for three sources are much higher than EPA estimated for all existing sources in their draft regulatory analysis.
- Guidelines are confusing as to whether Phase I BART addresses visibility caused by a single source or regional haze created by multiple sources.
- To what extent will the BART guidelines control the SIP revision requirements?

Virginia Manufacturers Association (through Rep. Joseph Fisher), IV-C-15

Opposes the concept of integral vistas:

- Development and expansion of existing industries could be denied.
- Would create a buffer zone.

Opposes the reanalysis of BART:

- No way to judge future costs of BART.

Opposes role of FLM.

- Could prevent industrial development.
- Go beyond Congressional intent.

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